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# **Local Government Council**

## **ACTION PACKET**

**Tuesday, April 11, 2006  
1:00 P.M.  
404 House Office Building**

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ken Sorensen (Chair)	X		
Thomas Anderson	X		
Mike Davis	X		
Terry Fields	X		
D. Alan Hays	X		
Matthew Meadows	X		
Julio Robaina	X		
Yolly Roberson	X		
<b>Totals:</b>	<b>8</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

**Location:** 404 HOB

### Summary:

#### Local Government Council

*Tuesday April 11, 2006 01:00 pm*

HJR 353 CS	Favorable With Committee Substitute	Yeas: 8 Nays: 0
HB 431 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 495	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 759	Temporarily Deferred	
HB 917 CS	Unfavorable	Yeas: 2 Nays: 5
HB 973	Favorable With Committee Substitute	Yeas: 6 Nays: 0
HB 977	Favorable	Yeas: 6 Nays: 0
HB 1115 CS	Favorable	Yeas: 7 Nays: 0
HB 1127	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 1183	Favorable	Yeas: 7 Nays: 0
HB 1217	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 1269 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 1297	Favorable	Yeas: 7 Nays: 0
HB 1509	Favorable With Committee Substitute	Yeas: 7 Nays: 0

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

## COUNCIL MEETING REPORT

### Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HJR 353 CS : Assessment of Homestead Property

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson	X				
Ken Sorensen (Chair)	X				
Total Yeas: 8		Total Nays: 0			

#### Appearances:

Bob Mckee (Lobbyist) - Opponent  
Florida Association of Counties  
100 S Monroe Street  
Tallahassee FL 32308  
Phone: 850-922-4300

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

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COUNCIL/COMMITTEE ACTION

ADOPTED                               — (Y/N)  
ADOPTED AS AMENDED               — (Y/N)  
ADOPTED W/O OBJECTION           ✓ (Y/N)  
FAILED TO ADOPT                   — (Y/N)  
WITHDRAWN                         — (Y/N)  
OTHER                               —

Council/Committee hearing bill: Local Government Council  
Representative(s) Lopez-Cantera offered the following:

**Amendment (with ballot statement and title amendments)**

Remove everything after the enacting clause and insert:

That the following amendments to Section 6 of Article VII  
and the creation of Section 26 of Article XII of the State  
Constitution are agreed to and shall be submitted to the  
electors of this state for approval or rejection at the next  
general election or at an earlier special election specifically  
authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.--

(a) Every person who has the legal or equitable title to  
real estate and maintains thereon the permanent residence of the  
owner, or another legally or naturally dependent upon the owner,  
shall be exempt from taxation thereon, except assessments for  
special benefits, up to the assessed valuation of five thousand  
dollars, upon establishment of right thereto in the manner  
prescribed by law. The real estate may be held by legal or  
equitable title, by the entireties, jointly, in common, as a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 condominium, or indirectly by stock ownership or membership  
24 representing the owner's or member's proprietary interest in a  
25 corporation owning a fee or a leasehold initially in excess of  
26 ninety-eight years.

27 (b) Not more than one exemption shall be allowed any  
28 individual or family unit or with respect to any residential  
29 unit. No exemption shall exceed the value of the real estate  
30 assessable to the owner or, in case of ownership through stock  
31 or membership in a corporation, the value of the proportion  
32 which the interest in the corporation bears to the assessed  
33 value of the property.

34 (c) (1) By general law and subject to conditions specified  
35 therein, the exemption shall be increased to a total of the  
36 following amounts ~~twenty five thousand dollars~~ of the assessed  
37 value of the real estate for each school district levy: thirty  
38 thousand dollars with respect to 2007 assessments; thirty-five  
39 thousand dollars with respect to 2008 assessments; forty  
40 thousand five hundred dollars with respect to 2009 assessments;  
41 forty-five thousand dollars with respect to 2010 assessments;  
42 and fifty thousand dollars with respect to 2011 assessments. In  
43 2012 and each year thereafter, the exemption shall increase  
44 annually by the percentage change in the Consumer Price Index  
45 for all urban consumers, U.S. City Average, all items 1967=100,  
46 or successor reports for the preceding calendar year as  
47 initially reported by the United States Department of Labor,  
48 Bureau of Labor Statistics.

49 (2) By general law and subject to conditions specified  
50 therein, the exemption for all other levies may be increased up  
51 to an amount not exceeding ten thousand dollars of the assessed  
52 value of the real estate if the owner has attained age sixty-

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

53 five or is totally and permanently disabled and if the owner is  
54 not entitled to the exemption provided in subsection (d).

55 (d) By general law and subject to conditions specified  
56 therein, the exemption shall be increased to a total of the  
57 following amounts of assessed value of real estate for each levy  
58 other than those of school districts: thirty fifteen thousand  
59 dollars with respect to 2007 1980 assessments; thirty-five  
60 twenty thousand dollars with respect to 2008 1981 assessments;  
61 forty twenty-five thousand dollars with respect to 2009  
62 assessments; forty-five thousand dollars with respect to 2010  
63 assessments; and fifty thousand dollars with respect to 2011  
64 assessments. In 2012 for 1982 and each year thereafter, the  
65 exemption shall increase annually by the percentage change in  
66 the Consumer Price Index for all urban consumers, U.S. City  
67 Average, all items 1967=100, or successor reports for the  
68 preceding calendar year as initially reported by the United  
69 States Department of Labor, Bureau of Labor Statistics. However,  
70 such increase shall not apply with respect to any assessment  
71 roll until such roll is first determined to be in compliance  
72 with the provisions of section 4 by a state agency designated by  
73 general law. This subsection shall stand repealed on the  
74 effective date of any amendment to section 4 which provides for  
75 the assessment of homestead property at a specified percentage  
76 of its just value.

77 (e) By general law and subject to conditions specified  
78 therein, the Legislature may provide to renters, who are  
79 permanent residents, ad valorem tax relief on all ad valorem tax  
80 levies. Such ad valorem tax relief shall be in the form and  
81 amount established by general law.

82 (f) The legislature may, by general law, allow counties or  
83 municipalities, for the purpose of their respective tax levies

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding ~~fifty twenty-five~~ thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

ARTICLE XII

SCHEDULE

SECTION 26. Homestead property assessment limitations; increased homestead exemption.--The amendments to Section 6 of Article VII, increasing the amount of homestead exemptions, shall take effect January 1, 2007.

===== B A L L O T S T A T E M E N T A M E N D M E N T =====

Remove line(s) 220-240 and insert:

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII, SECTION 26

INCREASED HOMESTEAD EXEMPTIONS.--Proposing an amendment to the State Constitution to provide for a phased increase in the homestead exemption from \$25,000 to \$50,000 over 5 years for all levies, school districts or otherwise, and to increase the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

maximum additional homestead exemption for low income seniors  
from \$25,000 to \$50,000 effective January 1, 2007.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

House Joint Resolution

A joint resolution proposing amendments to Section 6 of Article  
VII and the creation of Section 26 of Article XII of the State  
Constitution to provide for a phased increase in the homestead  
exemption over 5 years from \$25,000 to \$50,000 for all levies,  
to increase the maximum additional homestead exemption for low  
income seniors from \$25,000 to \$50,000, and schedule the  
amendments to take effect January 1, 2007, if adopted.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES  
Amendment to Amendment No. 1(for drafter's use only)

Bill No. HJR 353 w/CS

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN ☒ (Y/N)  
OTHER \_\_\_\_\_

Council/Committee hearing bill: Local Government Council  
Representative Hays offered the following:

**Amendment to Amendment 1 by Representative Lopez-Cantera  
(with ballot statement and title amendments)**

Remove lines 96-101 and insert:

(g) Notwithstanding the forgoing, the homestead exemption  
shall not apply to the first \$25,000 of assessed value of  
homestead property.

ARTICLE XII

SCHEDULE

SECTION 26. Homestead property assessment limitations;  
increased homestead exemption.-- The amendments to Section 6 of  
Article VII, increasing the amount of homestead exemptions and  
eliminating the homestead exemption for the first \$25,000 of  
assessed value of homestead property, shall take effect January  
1, 2007.

===== B A L L O T S T A T E M E N T A M E N D M E N T =====

Remove line(s) 110-115 and insert:

HOMESTEAD EXEMPTIONS. -- Proposing an amendment to the  
State Constitution to provide for a phased increase in the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment to Amendment No. 1(for drafter's use only)

homestead exemption from \$25,000 to \$50,000 over 5 years for all levies, school districts or otherwise, to increase the maximum additional homestead exemption for low income seniors from \$25,000 to \$50,000, and to eliminate the homestead exemption for the first \$25,000 of assessed value of homestead property, effective January 1, 2007.

===== T I T L E A M E N D M E N T =====

Remove line 126 and insert:

income seniors from \$25,000 to \$50,000, to eliminate the homestead exemption for the first \$25,000 of assessed value of homestead property, and schedule the

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 431 CS : Electric Transmission and Distribution

<input checked="" type="checkbox"/> Favorable With Committee Substitute					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7		Total Nays: 0			

### Appearances:

Kenya Cory (Lobbyist) - Proponent  
Associated Industries of Florida  
110 E College Avenue  
Tallahassee FL 32301  
Phone: 850-681-1065

Frank Matthews (Lobbyist) - Proponent  
Florida Electric Power Coordinating Group  
P. O. Box 6526  
Tallahassee FL 32301  
Phone: 850-222-7500

Denise Layne (Lobbyist) - Proponent  
Coalition 4 Responsible Growth, Inc.  
2504 Ayers Hill Court  
Lutz FL 33559  
Phone: 813-246-0485

Charles Pattison (Lobbyist) - Opponent  
1000 Friends of Florida  
P. O. Box 5948  
Tallahassee FL 32314-5948  
Phone: 850-222-6277

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

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Print Date: 4/11/2006 4:10 pm

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 431 w/CS

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ☒ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

Council/Committee hearing bill: Local Government Council  
Representative Robaina offered the following:

**Amendment (with title amendment)**

Insert between lines 123 & 124:

(6) (a) This paragraph may apply to the proposed placement or construction of a new distribution electric substation within a residential area. Prior to submitting an application for the location of a new distribution electric substation in residential areas, the utility shall consult with the local government regarding the selection of a site. The utility shall provide information regarding the utility's preferred site and as many as three alternative available sites, including sites within non-residential areas, that are technically and electrically reasonable for the load to be served, if the local government deems that the siting of a new distribution electric substation warrants this additional review and consideration. The final determination on the site application as to the preferred and alternative sites shall be made solely by the local government within 90 days of presentation of all the necessary and required information on the preferred site and on the alternative sites. In the event the utility and the local

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1(for drafter's use only)

23 government are unable to reach agreement on an appropriate  
24 location, the substation site selection shall be submitted to  
25 mediation conducted pursuant to ss. 44.401 - 44.406, F.S.,  
26 unless otherwise agreed to in writing by the parties, and the  
27 mediation shall be concluded within 30 days unless extended by  
28 written agreement of the parties. The 90-day time period for  
29 the local government to render a final decision on the site  
30 application is tolled from the date a notice of intent to  
31 mediate the site selection issue is served on the utility or  
32 local government, until the mediation is concluded, terminated  
33 or an impasse is declared. The local government and utility may  
34 agree to waive or extend this 90-day time period. Upon  
35 rendition of a final decision of the local government, a person  
36 may pursue available legal remedies in accordance with law and  
37 the matter shall be considered on an expedited basis.

38 (b) A local government's land development and construction  
39 regulations for electrical distribution substations and the  
40 local government's review of an application for the placement or  
41 construction of a new electrical substation shall only address  
42 land development, zoning, or aesthetic compatibility-based  
43 issues. In such local government regulations or review, a local  
44 government may not require information or evaluate a utility's  
45 business decisions about its service, customer demand for its  
46 service, or quality of its service to or from a particular area  
47 or site, unless the utility voluntarily offers this information  
48 to the local government.

49 RENUMBER SUBSEQUENT SUBSECTIONS

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

50  
51 ===== T I T L E   A M E N D M E N T =====  
52        Remove line(s) 49 and 50 and insert:  
53 providing for application when a local government adopts a  
54 described plan for vegetation maintenance, tree

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. HB 431 w/CS

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ☒ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Council/Committee hearing bill: Local Government Council  
2 Representative Robaina offered the following:

3  
4 **Amendment**

5 Strike line 183 and insert:  
6 way, the utility shall provide the official designated by the  
7 local government with a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. HB 431 w/CS

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ☒ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Council/Committee hearing bill: Local Government Council  
2 Representative Robaina offered the following:

3  
4 **Amendment**

5 Strike lines 214-223 and insert:  
6 government's franchising authority. This section does not  
7 supersede local government ordinances or regulations governing  
8 planting, pruning, trimming, or removal of specimen trees or  
9 historical trees, as defined in a local government's ordinances  
10 or regulations, or trees within designated canopied protection  
11 areas. This section shall not apply if a local government  
12 develops, with input from the utility, and the local government  
13 adopts, a written plan specifically for vegetation maintenance,  
14 tree pruning, tree removal and tree trimming by the utility  
15 within the local government's established rights-of-way and the  
16 plan is not inconsistent with the minimum requirements of the  
17 National Electrical Safety Code as adopted by the Public Service  
18 Commission. Provided, however, such a plan shall not require  
19 the planting of a tree or other vegetation that will achieve a  
20 height greater than 14 feet in an established electric right-of-

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

21 way. Vegetation maintenance costs shall be considered  
22 recoverable costs.

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# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 495 : Baker County

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7      Total Nays: 0					

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 495

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	<u>✓</u> (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Local Government Council  
2 Representative Bean offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6  
7 Section 1. Employees and appointees of Baker County  
8 Sheriff's Office; applicability of act; definitions; career  
9 service status; transitions; administration.-

10 (1) APPLICABILITY.-The provisions of this act apply to all  
11 certified and noncertified persons appointed or employed by the  
12 Baker County Sheriff's Office, with the following exceptions:

13 (a) Chiefs or, in the event of a title change, the highest  
14 ranked certified law enforcement officers reporting directly to  
15 the Sheriff.

16 (b) Special deputy sheriffs appointed under section  
17 30.09(4), Florida Statutes.

18 (c) Members of a sheriff's posse or reserve unit.

19 (d) Part-time appointees and employees.

20 (e) Independent contractors, temporary employees, or  
21 contract employees.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22        (f) Appointees and employees employed pursuant to a grant  
23 whose continued existence or funding is subject to the  
24 expiration or withdrawal of the grant provider.

25        (3) APPLICATION TO COLLECTIVE BARGAINING.—This act does  
26 not grant the right of collective bargaining to employee's of  
27 the Baker County Sheriff's Office who do not otherwise have that  
28 right pursuant to law.

29        (4) NONDISCIPLINARY DISMISSALS.—This act does not cover  
30 the nondisciplinary dismissal of employees or appointees. Such  
31 nondisciplinary dismissals include those arising from a  
32 reduction in force, layoff, or partial or total abolition or  
33 cessation of a program, service, operation, department,  
34 subdivision, or grant-funded position.

35        (6) DEFINITIONS.—

36        (a) "Appointee" means a person selected by the Sheriff to  
37 serve in the position of deputy sheriff or correctional officer  
38 who is certified within the meaning of chapter 943, Florida  
39 Statutes.

40        (b) "Employee" means any person employed by the Sheriff  
41 for a position which does not require certification under  
42 chapter 943, Florida Statutes.

43        (c) "Dismissal" means the discharge or withdrawal of  
44 appointment by the Sheriff or his or her designee of a person  
45 employed or appointed to a position with the Office of Sheriff.

46        (d) "Initial probationary period" means 1 year of  
47 conditional employment or appointment commencing on the initial  
48 date of actual work and continuing for 12 months in a regularly  
49 established position. This probationary period may be extended  
50 at the discretion of the Sheriff for a period equal to any work  
51 absences during the 12-month period. For the purpose of  
52 determining career service status as defined in this act, all

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

time in the employment of the Office of the Sheriff while in a Criminal Justice Standards and Training Commission-approved academy or other comparable training for certification as a sworn officer or deputy sheriff shall not be considered in any manner in determining whether the employee has attained 1 calendar year of minimum service.

(e) "Career Appeals Board" means the ad hoc board authorized under this Act to hear disciplinary appeals.

(f) "Reemployment" means the reappointment or reemployment of a person who was previously an appointee or employee of the Office of Sheriff.

For the purposes of this Act, "appointee" and "employee" are synonymous and any derivative of "employ" refers to the persons to whom this Act applies.

(7) CAREER SERVICE STATUS.—

(a) After any employee or appointee of the Sheriff to whom the provisions of this act apply has completed the initial or extended probationary period, such person shall have attained career service status in the Office of Sheriff. If such person is reemployed at a later date, said person shall be required to again complete the probationary period before being granted the right of appeal provided in section 2.

(b) The Sheriff may dismiss an appointee or employee who has not completed the initial or extended probationary period at any time without granting the right of appeal provided in section 2.

(c) Any person who has attained career service status with the Baker County Sheriff's Office may only be suspended or dismissed for cause, provided that, prior to such action, the employee must be provided with written notice of the proposed action and offered an opportunity to respond to the reasons for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

84 the suspension or dismissal. If, however, the Sheriff perceives  
85 a significant hazard in keeping the employee on the job, or  
86 where delay could result in damage or injury, the employee may  
87 be immediately suspended or dismissed without notice, provided,  
88 however, that the employee is later provided with such notice  
89 and reasons within 24 hours. "Cause for suspension or dismissal"  
90 includes, but is not limited to, negligence, inefficiency or  
91 inability to perform assigned duties, insubordination, violation  
92 of provisions of law or office rules, conduct unbecoming a  
93 public employee, misconduct, alcohol abuse, prescription drug  
94 abuse, or illegal drug use. "Cause for suspension or dismissal"  
95 also includes, but is not limited to, adjudication of guilt by a  
96 court of competent jurisdiction, a plea of guilty or of nolo  
97 contendere, or a verdict of guilty when adjudication of guilt is  
98 withheld and the accused is placed on probation with respect to  
99 any felony, misdemeanor, or major traffic infraction charges.

100 (d) An employee or appointee who has achieved career  
101 service status is entitled to appeal a disciplinary suspension  
102 or dismissal to a Career Service Appeals Board.

103 (8) TRANSITION.—When a newly elected or appointed Sheriff  
104 assumes office, all career service status appointees and  
105 employees shall remain employees of the new administration,  
106 unless cause for dismissal, as provided herein, exists.

107 (a) The new Sheriff may reduce employees holding the rank  
108 of Chief and Lieutenant one rank below that held on the day  
109 before the new Sheriff assumes office. The regular base salaries  
110 of these employees may be adjusted accordingly.

111 (b) The new Sheriff may assign the Personnel/Budget  
112 Director and the Sheriff's Secretary to the next lowest position  
113 classification within the pay and classification system, and  
114 adjust their regular base salaries accordingly.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

15        (9) ADMINISTRATION.-The Sheriff shall have the authority  
116 to adopt such rules and regulations as are necessary for the  
117 implementation and administration of this act; however, nothing  
118 in this act shall be construed as affecting the budget-making  
119 powers of the Board of County Commissioners of Baker County.

120        Section 2. Career Service Appeals Boards; creation;  
121 membership; duties.-

122        (1) FUNCTION OF BOARDS.-Ad Hoc Career Service Appeals  
123 Boards shall be appointed for the purpose of hearing appeals of  
124 employees having career service status arising from their  
125 disciplinary suspension or dismissal. A Career Service Appeals  
126 Board shall be utilized to make a nonbinding recommendation to  
127 the Sheriff as to whether the suspension or dismissal was for a  
128 violation of Sheriff's Office policy, rule, regulation,  
129 procedure, or practice. Any such Board may also provide  
130 assistance and advice to the Sheriff in matters concerning  
131 disciplinary suspension or dismissal and may take any other  
132 actions authorized by the Sheriff.

133        (2) MEMBERSHIP OF BOARD.-Upon the call of the Sheriff or  
134 upon the filing of an appeal, an Ad Hoc Career Service Appeals  
135 Board shall be appointed. The membership of each Board shall  
136 consist of five appointees or employees of the Office of  
137 Sheriff. Two members shall be selected by the employee or  
138 appointee filing the appeal, two members shall be selected by  
139 the Sheriff, and the fifth member, who shall serve as the Chair  
140 of the Board, shall be selected by the other four members. Any  
141 employee may decline to serve as a member of the Board.

142        (a) The hearing shall be conducted during the Sheriff's  
143 Office administrative office hours; therefore, employees  
144 selected to serve on the Board shall serve without additional  
45 compensation. Once selected, the members of the Board shall

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

46 serve until the Board issues its recommendations to the  
147 Sheriff's Office, and, unless reconvened, the Board shall be  
148 dissolved.

149 (b) The Personnel/Budget Director or his or her designee  
150 shall serve as an ex officio member of the Board for the purpose  
151 of providing procedural guidance to the Board concerning the  
152 application of this act and any rules or regulations adopted by  
153 the Sheriff relating thereto, but such ex officio member shall  
154 have no vote.

155 (3) PROCEDURE WITH RESPECT TO APPEALS.--An employee or  
156 appointee who has achieved career service status may submit a  
157 written request for a hearing to the Sheriff or his or her  
158 designee within 7 calendar days after receiving a Notice of  
159 Suspension or Dismissal which shall be hand-delivered or sent  
160 certified mail, return receipt requested. The appeal must  
161 contain a brief statement of the matters to be considered by the  
162 Career Service Appeals Board and the names of the employees  
163 selected to serve on the Board.

164 (a) A Career Appeals Board shall be selected and shall  
165 meet for the purpose of hearing the appeal within 30 calendar  
166 days after receipt of the Notice of Appeal. However, an  
167 extension of time may be granted by the Chair for good cause or  
168 upon agreement of the parties.

169 (b) The person filing the appeal has the right to a public  
170 hearing, to be represented by a person of his or her choice, to  
171 present relevant evidence, and to cross examine witnesses.

172 (c) The rules of evidence and civil procedure are not  
173 applicable to hearings conducted under this act.

174 (d) The Board, in conducting such hearings, shall have the  
175 power to issue subpoenas, upon the request of any party or upon  
176 its own motion.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

177       (e) The Board shall, by majority vote, dispose of the  
178 appeal for which it was appointed by making findings of fact and  
179 issuing its written recommendations to the Sheriff for  
180 consideration. The Sheriff shall retain the right of final  
181 determination and no person may be reinstated with or without  
182 back pay or benefits without the concurrence of the Sheriff.

183       Section 3. Severability.-The provisions of this act shall  
184 be severable, and if any provision is held invalid by a court of  
185 competent jurisdiction, the decision of the court shall not  
186 affect the validity of the remaining provisions except to the  
187 extent that an entire section or part of a section may be  
188 inseparably connected in meaning and effect with the section or  
189 part of a section to which such holding directly applies.

190       Section 4. This act shall take effect upon becoming a law.

191  
192 ===== T I T L E   A M E N D M E N T =====

193       Remove the entire title and insert:

194       An act relating to Baker County; providing career service status  
195       for certain employees of the Baker County Sheriff; providing  
196       definitions; providing for transition between administrations;  
197       providing for appeals procedures; providing for career service  
198       appeals boards; providing proceedings and provisions with  
199       respect to disciplinary suspension and dismissal; providing  
200       severability; providing an effective date.

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

**Location:** 404 HOB

**HB 759 : Hillsborough County**

☒ *Temporarily Deferred*

### Appearances:

Anne Madden (General Public) - Opponent  
218 6th Avenue SW  
Ruskin FL 33570  
Phone: 813-645-3732

Laura Jacobs (Lobbyist) - Opponent  
Citizens for Sensible Taxes  
712 S Oregon Avenue  
Tampa FL  
Phone: 813-495-0575

Wade Clark (General Public) - Proponent  
Ruskin Incorporation Committee  
1426 Deirdre Drive  
Ruskin FL 33570  
Phone: 813-641-2748

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 917 CS : Property Taxes

☒ Unfavorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson		X			
Mike Davis	X				
Terry Fields		X			
D. Alan Hays		X			
Matthew Meadows		X			
Julio Robaina		X			
Yolly Roberson					X
Ken Sorensen (Chair)	X				
Total Yeas: 2		Total Nays: 5			

### Appearances:

Bob Mckee (Lobbyist) - Opponent  
Florida Association of Counties  
100 S Monroe Street  
Tallahassee FL 32308  
Phone: 850-922-4300

David R. Custin (Lobbyist) - Opponent  
Broward County  
6401 SW 113 Place  
Miami FL 33173-1083  
Phone: 305-412-3772

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

Leagis ®

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 973 : South Broward Drainage District, Broward County

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina			X		
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 6 Total Nays: 0					

### Appearances:

Terry Lewis (Lobbyist) - Proponent  
1700 Palm Beach Lakes Boulevard #1000  
West Palm Beach FL  
Phone: 561-640-0820

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

Leagis ®

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 973

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ☒ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

Council/Committee hearing bill: Local Government Council  
Representative(s) Sobel offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 53 of section 2 of  
chapter 98-524, Laws of Florida, is amended to read:

Section 53. Procurement of contractual services and  
purchase of goods, supplies, and materials.--

(1) All contracts let by the board for professional  
architectural, engineering, landscape architectural, or land  
surveying services for any project authorized by chapter 98-524,  
Laws of Florida, as amended, ~~this act~~ shall be in compliance  
with section 287.055, Florida Statutes, as amended. Except as  
stated herein and as provided by section 287.055, Florida  
Statutes, as amended, no contract shall be let by the board for  
the construction or maintenance of any improvements authorized  
under chapter 98-524, Laws of Florida, as amended ~~this act~~, nor  
shall any goods, supplies, or materials be purchased, when the  
amount thereof to be paid by the district shall exceed the  
threshold amount provided in section 287.017(1), Florida  
Statutes, as amended, for CATEGORY TWO \$10,000, unless notice of  
bids shall be advertised once a week for 2 consecutive weeks in

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 a newspaper in general circulation in Broward County, and in  
24 each case the bid of the lowest responsible bidder shall be  
25 accepted, unless all bids are rejected because the bids are too  
26 high. The board may require the bidders to furnish bond with  
27 responsible surety to be approved by the board. Nothing in this  
28 section shall prevent the board from undertaking and performing  
29 the construction, operation, and maintenance of any project,  
30 facility, or improvements authorized under chapter 98-524, Laws  
31 of Florida, as amended, this act by the employment of labor,  
32 material, and machinery.

33 Section 2. A certified copy of this act shall be recorded  
34 in the Broward County Public Records by the South Broward  
35 Drainage District.

36 Section 3. If any provision of this act or the application  
37 thereof to any person or circumstance is held invalid, the  
38 invalidity shall not affect other provisions or applications of  
39 the act which can be given effect without the invalid provision  
40 or application, and to this end the provisions of this act are  
41 declared severable.

42 Section 4. This act shall take effect upon becoming a law.

43  
44 ===== T I T L E A M E N D M E N T =====

45 Remove the entire title and insert:

46 A bill to be entitled

47 An act relating to the South Broward Drainage District, Broward  
48 County; amending chapter 98-524, Laws of Florida; amending the  
49 amount for which advertisement for bids is required for the  
50 procurement by the district of contractual services and purchase  
51 of goods, supplies, and materials to comply with state statutory  
52 requirements; providing severability; providing an effective  
53 date.

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 977 : Special Risk Class of the Florida Retirement System

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)				X	
	Total Yeas: 6		Total Nays: 0		

### Appearances:

Randy Touchton (Lobbyist) - Proponent  
Florida Professional Firefighters Association  
345 W Madison Street  
Tallahassee FL 32301  
Phone: 850-224-7333

Don Teems (Lobbyist) - Proponent  
Florida Police Benevolent Association, Inc.  
1136 Coe Landing Road  
Tallahassee FL 32310  
Phone: 850-222-3329

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

Leagis ®

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 1115 CS : South Florida Regional Transportation Authority

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7		Total Nays: 0			

### Appearances:

Pamela Landi (Lobbyist) - Proponent  
Broward County  
115 S Andrews Avenue  
Ft. Lauderdale FL

David Ericks (Lobbyist) - Proponent  
South Florida Regional Transportation Authority  
205 S. Adams Street  
Tallahassee FL 32301  
Phone: 850-224-0880

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

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Print Date: 4/11/2006 4:10 pm

Page 9 of 16

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 1127 : Broward County

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7		Total Nays: 0			

### Appearances:

David Sigerson (Lobbyist) - Proponent  
Town of Davie  
2410 Van Buren Street  
Hollywood FL 33020  
Phone: 954-336-3544

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. 1127

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	✓ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Local Government Council  
2 Representative Ryan offered the following:

3  
4 **Amendment**

5 Remove everything after the enacting clause and insert:

6  
7 Section 1. No later than September 1, 2006, the Town of  
8 Davie and the Broward County Board of County Commissioners may  
9 enter into an interlocal agreement agreeing to the transition of  
10 the annexation of Broadview Park, as defined in section 3, into  
11 the Town of Davie.

12 Section 2. If the Town of Davie and the Broward County  
13 Board of County Commissioners enter into the interlocal  
14 agreement as provided in section 1, the Broward County Board of  
15 County Commissioners shall schedule an election on November 7,  
16 2006, in accordance with the provisions of the law relating to  
17 elections currently in force in Broward County. The subject of  
18 said election shall be the annexation of the Broadview Park  
19 Area. The voters residing in the Broadview Park Area shall, by  
20 majority vote of the voters participating in the election,  
21 choose whether to be annexed by the Town of Davie on September

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

22 15, 2008. A mail ballot shall not be used in this election.  
23 However, voters may vote by absentee ballot as provided by law.

24 Section 3. The Broadview Park Area is described as:

25  
26 That portion of Sections 13, 14, 23 and 24, Township  
27 50 South, Range 41 East and Section 18 Township 50 South,  
28 Range 42 East, Broward County, Florida, described as  
29 follows:

30  
31 Beginning at a point on the boundary of the City of  
32 Plantation established by Chapter 68-101 Laws of Florida,  
33 being the Southeast corner of Tract 1, Tier 24, according  
34 to Newman's Survey of Section 14, Township 50 South, Range  
35 41 East, as recorded in Plat Book 2, Page 26, Public  
36 Records of Dade County, Florida;

37  
38 thence continuing along the said boundary of the City of  
39 Plantation the following 6 courses;

40  
41 thence Northeasterly along the East line of said Tier 24,  
42 to the North line of said Section 13;

43  
44 thence East along the said North line of Section 13 to a  
45 point of intersection with the Northerly extension of the  
46 Westerly line of Block 3, as shown by the plat of  
47 LAUDERDALE HIGHLANDS as recorded in Plat Book 12, at Page  
48 37, Public Records of Broward County, Florida;

49  
50 thence Southwesterly along the Westerly line of said Block  
51 3 and its Northerly extension thereof, to the  
52 Southwesterly corner of Lot 11 of said Block 3;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

53  
54 thence Easterly along the Southerly line of said Lot 11  
55 and its Easterly extension thereof, to a point of  
56 intersection with the Easterly right-of-way line of  
57 Highland Avenue, as shown by said plat of LAUDERDALE  
58 HIGHLANDS;

59  
60 thence Southwesterly along the Easterly right-of-way line  
61 of said Highland Avenue to a point of intersection with  
62 the South line of Block 1, as shown by said plat of  
63 LAUDERDALE HIGHLANDS;

64  
65 thence Easterly along the South line of said Block 1 and  
66 its Easterly extension thereof to a point of intersection  
67 with the East right-of-way line of State Road No.7, as  
68 described in City of Fort Lauderdale annexing Resolution  
69 No. 8519;

70  
71 thence Southerly along the said east right-of-way line to  
72 the North right-of-way line of Riverland Road and the  
73 boundary of the Town of Davie as described in Chapter 84-  
74 420, Laws of Florida;

75  
76 thence continuing along said boundary of the Town of Davie  
77 the following 10 courses;

78  
79 thence Westerly along the Westerly prolongation of the  
80 said North right-of-way line to the West right-of-way line  
81 of State Road No.7;  
82

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

83 thence Southerly along said West right-of-way line to a  
84 point of intersection with a line 300 feet North of the  
85 Southerly line of Tract 2, Tier 4, of said Newman's  
86 Survey, as measured along the said Westerly right-of-way  
87 line;

88  
89 thence Northwesterly to a point on the Easterly right-of-  
90 way line of Southwest 41st Avenue, being 298.34 feet  
91 Northerly from the Southwest corner of said Tract 2, Tier  
92 4;

93  
94 thence Westerly to a point of intersection of the West  
95 right-of-way line of Southwest 41st Avenue with the North  
96 line of said Section 24;

97  
98 thence Southwesterly along the said West right-of-way line  
99 to the centerline of North New River Canal;

100  
101 thence Southeasterly along said centerline to the Westerly  
102 right-of-way line of State Road No.7;

103  
104 thence Southwesterly along said West right-of-line to the  
105 South bank of the North New River Canal;

106  
107 thence Northwesterly along said South bank to the  
108 Northerly extension of the West line of the East One-Half  
109 of Tract 1, Tier 7 of said Newman's Survey;

110  
111 thence Southwesterly along said Northerly extension to the  
112 Northwest corner of the said East One-Half of Tract 1,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

113 Tier 7, also being on the South right-of-way line of North  
114 New River Canal;

115  
116 thence Northwesterly along the said Southerly right-of-way  
117 line to the Easterly line of Tier 21 of said Newman's  
118 Survey;

119  
120 thence Northwesterly, continuing on the boundary of the  
121 Town of Davie, along the said Southerly right-of-way line  
122 to the intersection with the Southwesterly extension of  
123 the East line of the aforesaid Tract 1, Tier 24;

124  
125 thence Northeasterly along said Southwesterly extension to  
126 the Point of Beginning.

127  
128  
129 TOGETHER WITH:

130  
131 That portion of Sections 7, 8, 14, 15, 16 and 17, Township  
132 50 South, Range 41 East and Sections 2, 3, 11 and 12,  
133 Township 50 South, Range 40 East, Broward County,  
134 Florida, described as follows:

135  
136 Beginning at a point on the boundary of the City of  
137 Plantation established by Chapter 68-101, Laws of Florida,  
138 being the Southeast corner of Tract 1, Tier 24, according  
139 to Newman's Survey of Section 14, Township 50 South, Range  
140 41 East, as recorded in Plat Book 2, Page 26, Public  
141 Records of Dade County, Florida;  
142

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

143 thence Northwesterly along the North right of way line of  
144 the North New River Canal and along the boundary of the  
145 City of Plantation established by said Chapter 68-101 and  
146 by Ordinance 1008, Ordinance 568, and Ordinance 543, all  
147 as adopted by the City of Plantation, to the intersection  
148 with the West line of said Section 2;

149  
150 thence continue Northwesterly along the North right of way  
151 line of the North New River Canal and along the boundary  
152 of the City of Sunrise established by Ordinance 220-X  
153 and Ordinance 257-X, as adopted by the City of Sunrise, to  
154 the intersection with the West line of said Section 3;

155  
156 thence Southerly along said West line and along the  
157 boundary of the City of Sunrise established by Ordinance  
158 269, as adopted by the City of Sunrise, to the South right  
159 of way line of the North New River Canal;

160  
161 thence Southeasterly along the said South right of way  
162 line and along the boundary of the Town of Davie  
163 established by Ordinance 74-44 and Ordinance 85-97 and by  
164 Chapter 84-420, as adopted by the Town of Davie, to the  
165 intersection with the Southwesterly extension of the East  
166 line of Tier 24 of said Newman's Survey;

167  
168 thence Northeasterly along the said Southwesterly  
169 extension to the point of BEGINNING.

170  
171 Section 4. Upon annexation into the Town of Davie, the  
172 following shall govern the Broadview Park Area:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

73        (1) The present land use designations and zoning  
174 districts provided for under the Broward County Comprehensive  
175 Plan and Code of Ordinances of Broward County shall remain in  
176 the law governing the Broadview Park Area, notwithstanding the  
177 fact that the Broadview Park Area is now a part of the Town of  
178 Davie.

179        (2) Any change of zoning districts or land use  
180 designations may only be accomplished by enactment of the vote  
181 of the majority of the full governing body of the Town of Davie  
182 plus one.

183        (3) Notwithstanding subsections (1) and (2), any use,  
184 building, or structure that is legally in existence at the time  
185 that the Broadview Park Area becomes a part of the Town of  
186 Davie shall not be made a prohibited use by the municipality,  
187 on the property of said use, for as long as the use shall  
188 continue and not be voluntarily abandoned.

189        Section 5. Subsequent to the effective date of this act,  
190 no change in land use designation or zoning shall be effective  
191 within the limits of the lands subject to annexation herein  
192 until the Broadview Park Area has been annexed into the Town of  
193 Davie. No annexation within the Broadview Park Area by any  
194 municipality shall occur during the time period between the  
195 effective date of this act and the effective date of the  
196 annexation.

197        Section 6. Subsequent to the effective date of this  
198 annexation, any resident in the area to be annexed by this act  
199 into the Town of Davie shall be deemed to have met any  
200 residency requirements for candidacy for municipal office.

201        Section 7. Nothing in this act shall be construed to  
202 affect or abrogate the rights of parties to any contracts,  
203 including contracts between nongovernmental entities, which

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

04 contracts are in effect prior to the effective date of the  
205 annexation.

206 Section 8. All public roads and the public rights-of-way  
207 associated therewith, on the Broward County Road System,  
208 including bridge structures 868303, 864024, 864022, 864096, and  
209 864097, lying within the limits of the Broadview Park Area as  
210 described in section 3, are transferred from Broward County  
211 jurisdiction to the jurisdiction of the annexing municipality,  
212 except for those portions of Hiatus Road, Nob Hill Road, Pine  
213 Island Road, and Davie Boulevard and that portion of Peters  
214 Road west of the Peters Road/Davie Boulevard intersection lying  
215 within the annexation area. All rights, title, interests, and  
216 responsibilities for any transferred roads, including, but not  
217 limited to, the ownership, operation, maintenance, planning,  
218 design, and construction of said roads and to the rights-of-way  
19 associated therewith shall transfer from Broward County  
220 jurisdiction and ownership to the jurisdiction and ownership of  
221 the annexing municipality upon the effective date of the  
222 annexation.

223 Section 9. This act shall take effect upon becoming a law.  
224  
225

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 1183 : Hernando County Special Election Validation

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
<b>Total Yeas: 7      Total Nays: 0</b>					

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 1183**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input checked="" type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Council/Committee hearing bill: Local Government Council  
2 Representative(s) Russell offered the following:

3  
4 **Amendment**

5 Remove line(s) 19-20 and insert:  
6 levy of the discretionary sales surtax in accordance with s.  
7 212.055(6) for the purpose of

000000

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 1217 : City of Bradenton Beach, Manatee County

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7		Total Nays: 0			

### Appearances:

Chris Lyon (Lobbyist) - Proponent  
City of Bradenton Beach  
125 S Gadsden Street  
Tallahassee FL 32309  
Phone: 850-222-5702

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

Leagis ®

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 1217

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ☒ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

Council/Committee hearing bill: Local Government Counsel  
Representative Galvano offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 6 of Article I of chapter 28915, Laws  
of Florida, 1953, is amended to read:

ARTICLE I

GENERAL PROVISIONS

Section 6. (1)(a) The boundaries of the area which shall  
be included in the territory of the City of Bradenton Beach, in  
Manatee County, Florida, shall be as follows:

All lands on Anna Maria Island lying south of a line  
with a point of beginning at the intersection of  
Sarasota Bay (Intracoastal Waterway) and the southerly  
boundary of Sunrise Park Re-Plat (Plat Book 11, Page  
94 of the Public Records of Manatee County, Florida)  
thence continuing westerly along the southerly  
boundary thereof and its westerly extension and the  
southerly boundary of Sunrise Park (Plat Book 10, Page  
31 of the Public Records of Manatee County, Florida)

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

23 and its westerly extension thereof and along the south  
24 line of Block 33, Lots 20 and 1 of Ilexhurst  
25 Subdivision (Plat Book 1, Page 154 of the Public  
26 Records of Manatee County, Florida) to the west right-  
27 of-way line of State Road 789 (also known as Gulf  
28 Drive); thence northerly along the west right-of-way  
29 line of said State Road 789 (Gulf Drive) approximately  
30 50 feet; thence westerly approximately 100 feet along  
31 the south line of former Block 34, Lot 19 of Ilexhurst  
32 Subdivision (Plat Book 1, Page 154 of the Public  
33 Records of Manatee County, Florida); thence northerly  
34 approximately 100 feet along the west line of former  
35 Block 34, Lots 19 and 18 of said Ilexhurst Subdivision  
36 (this portion of Ilexhurst Subdivision is now re-  
37 platted as Ocean Park Terrace Condominium Book 12,  
38 Page 161 of the Public Records of Manatee County,  
39 Florida); thence westerly along the north line of  
40 Ocean Park Terrace (Condominium Book 12, Page 161 of  
41 the Public Records of Manatee County, Florida) and its  
42 westerly extension to the shoreline of the Gulf of  
43 Mexico; thence southerly along the shoreline of the  
44 Gulf of Mexico to the southern terminus of Anna Maria  
45 Island; thence easterly around the southerly tip of  
46 Anna Maria Island; thence northerly along the  
47 shoreline of Anna Maria Island including United States  
48 Government Lot #1, Section 10-35-26 (Coffee Shell  
49 Island) to the point of beginning.

50  
51 Such property otherwise described as Anna Maria Island  
52 lying south of the Holmes Beach city limits.  
53

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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54        (b) Additionally, the municipal boundary of the City shall  
55 be expanded to include an area adjacent and contiguous to the  
56 current city boundary within Sarasota Bay and designated as the  
57 Bradenton Beach Mooring Field, more specifically described as:  
58

59        Beginning at the intersection of the centerline of 8th  
60 Street South and Sarasota Bay (Intracoastal Waterway)  
61 thence run east a distance of 1,500.00 feet; thence  
62 northerly parallel to the Intracoastal Waterway  
63 Channel to a point on the southerly right-of-way line  
64 of Cortez Road; thence westerly along said southerly  
65 right-of-way line a distance of 1,400.00 feet to the  
66 mean high water line of Sarasota Bay (Intracoastal  
67 Waterway); thence southerly along the mean high water  
68 line of said Sarasota Bay (Intracoastal Waterway) to  
69 the point of beginning.  
70

71        Lying and being in Sections 3, 4, 9 and 10, Township  
72 35 South, Range 16 East, Manatee County, Florida.

73        ~~All lands on Anna Maria Key lying South of the South~~  
74 ~~Boundary of the Subdivision of Ilexhurst as recorded~~  
75 ~~in Plat Book 1 Page 154 of the Public Records of~~  
76 ~~Manatee County, Florida; said line being the Northern~~  
77 ~~Boundary line of Township Thirty five (35) South,~~  
78 ~~Range Sixteen (16) East, Manatee County, Florida.~~  
79

80        (c) Provided, however, that the said City shall have the  
81 power to change its boundaries in the manner hereinafter or as  
82 authorized otherwise by the laws of the State of Florida  
83 provided.

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84        (2) The City of Bradenton Beach, Manatee County, is  
85        authorized to exercise its police powers and jurisdiction  
86        authority 500 feet into the waters of the Gulf of Mexico  
87        adjacent to its established corporate limits and within Sarasota  
88        Bay from the eastern municipal boundary of the City to the west  
89        right-of-way line of the Intracoastal Waterway; however, the  
90        exercise of such police powers and jurisdiction beyond the  
91        corporate limits of the city shall extend only to the abatement  
92        of nuisances, the enforcement of sanitary laws and regulations,  
93        the regulation of zoning, and the suppression of crime.

94        Section 2. This act shall take effect upon becoming a law.

96        ===== T I T L E   A M E N D M E N T =====

97        Remove the entire title and insert:

98                    A bill to be entitled

99        An act relating to the City of Bradenton Beach, Manatee  
100        County; amending chapter 28915, Laws of Florida, 1953;  
101        amending the city's boundaries; authorizing the city to  
102        exercise its police powers and jurisdiction 500 feet into  
103        the waters of the Gulf of Mexico adjacent to its  
104        established corporate limits and within Sarasota Bay from  
105        the eastern municipal boundary of the city to the west  
106        right-of-way line of the Intracoastal Waterway; providing  
107        an effective date.

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 1269 CS : Local Occupational License Taxes

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7		Total Nays: 0			

### Appearances:

J. B. Clark (Lobbyist) - Proponent  
Construction Licensing Officials Association  
2071 Cynthia Drive  
Tallahassee FL 32303  
Phone: 850-556-8143

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

Leagis ®

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 1269 w/CS

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ☒ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

Council/Committee hearing bill: Local Government Council  
Representative Cusack offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 205.013, Florida Statutes, is amended  
to read:

205.013 Short title.--This chapter shall be known and may  
be cited as the "Local Business ~~Occupational License~~ Tax Act."

Section 2. Section 205.022, Florida Statutes, is amended  
to read:

205.022 Definitions.--When used in this chapter, the  
following terms and phrases shall have the meanings ascribed to  
them in this section, except when the context clearly indicates  
a different meaning:

(1)+6+ "Business," "profession," and "occupation" do not  
include the customary religious, charitable, or educational  
activities of nonprofit religious, nonprofit charitable, and  
nonprofit educational institutions in this state, which  
institutions are more particularly defined and limited as  
follows:

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(a) "Religious institutions" means churches and ecclesiastical or denominational organizations or established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on, and also means church cemeteries.

(b) "Educational institutions" means state tax-supported or parochial, church and nonprofit private schools, colleges, or universities conducting regular classes and courses of study required for accreditation by or membership in the Southern Association of Colleges and Schools, the Department of Education, or the Florida Council of Independent Schools. Nonprofit libraries, art galleries, and museums open to the public are defined as educational institutions and eligible for exemption.

(c) "Charitable institutions" means only nonprofit corporations operating physical facilities in this state at which are provided charitable services, a reasonable percentage of which are without cost to those unable to pay.

(2) "Receipt" means the document that is issued by the local governing authority which bears the words "Local Business Tax Receipt" and evidences that the person in whose name the document is issued has complied with the provisions of this chapter relating to the business tax.

(3)~~(5)~~ "Classification" means the method by which a business or group of businesses is identified by size or type, or both.

(4)~~(7)~~ "Enterprise zone" means an area designated as an enterprise zone pursuant to s. 290.0065. This subsection expires on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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52        (5)~~(1)~~ "Local business tax ~~occupational license~~" means the  
53        fees charged and the method by which a local governing authority  
54        grants the privilege of engaging in or managing any business,  
55        profession, or occupation within its jurisdiction. It does not  
56        mean any fees or licenses paid to any board, commission, or  
57        officer for permits, registration, examination, or inspection.  
58        Unless otherwise provided by law, these are deemed to be  
59        regulatory and in addition to, but not in lieu of, any local  
60        business tax ~~occupational license~~ imposed under the provisions  
61        of this chapter.

62        (6)~~(2)~~ "Local governing authority" means the governing  
63        body of any county or incorporated municipality of this state.

64        (7)~~(3)~~ "Person" means any individual, firm, partnership,  
65        joint adventure, syndicate, or other group or combination acting  
66        as a unit, association, corporation, estate, trust, business  
67        trust, trustee, executor, administrator, receiver, or other  
68        fiduciary, and includes the plural as well as the singular.

69        (8)~~(4)~~ "Taxpayer" means any person liable for taxes  
70        imposed under the provisions of this chapter; any agent required  
71        to file and pay any taxes imposed hereunder; and the heirs,  
72        successors, assignees, and transferees of any such person or  
73        agent.

74        Section 3. Section 205.023, Florida Statutes, is amended  
75        to read:

76        205.023 Requirement to report status of fictitious name  
77        registration.--As a prerequisite to receiving a local business  
78        tax receipt ~~occupational license~~ under this chapter or  
79        transferring a business license under s. 205.033(2) or s.  
80        205.043(2), the applicant or new owner must present to the  
81        county or municipality that has jurisdiction to issue or  
82        transfer the receipt ~~license~~ either:

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83 (1) A copy of the applicant's or new owner's current  
84 fictitious name registration, issued by the Division of  
85 Corporations of the Department of State; or

86 (2) A written statement, signed by the applicant or new  
87 owner, which sets forth the reason that the applicant or new  
88 owner need not comply with the Fictitious Name Act.

89 Section 4. Section 205.0315, Florida Statutes, is amended  
90 to read:

91 205.0315 Ordinance adoption after October 1,  
92 1995.--Beginning October 1, 1995, a county or municipality that  
93 has not adopted a business ~~an occupational license~~ tax ordinance  
94 or resolution may adopt a business ~~an occupational license~~ tax  
95 ordinance. The business ~~occupational license~~ tax rate structure  
96 and classifications in the adopted ordinance must be reasonable  
97 and based upon the rate structure and classifications prescribed  
98 in ordinances adopted by adjacent local governments that have  
99 implemented s. 205.0535. If no adjacent local government has  
100 implemented s. 205.0535, or if the governing body of the county  
101 or municipality finds that the rate structures or  
102 classifications of adjacent local governments are unreasonable,  
103 the rate structure or classifications prescribed in its  
104 ordinance may be based upon those prescribed in ordinances  
105 adopted by local governments that have implemented s. 205.0535  
106 in counties or municipalities that have a comparable population.

107 Section 5. Section 205.032, Florida Statutes, is amended  
108 to read:

109 205.032 Levy; counties.--The governing body of a county  
110 may levy, by appropriate resolution or ordinance, a business ~~an~~  
111 ~~occupational license~~ tax for the privilege of engaging in or  
112 managing any business, profession, or occupation within its  
113 jurisdiction. However, the governing body must first give at

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least 14 days' public notice between the first and last reading of the resolution or ordinance by publishing a notice in a newspaper of general circulation within its jurisdiction as defined by law. The public notice must contain the proposed classifications and rates applicable to the business ~~occupational-license~~ tax.

Section 6. Section 205.033, Florida Statutes, is amended to read:

205.033 Conditions for levy; counties.--

(1) The following conditions are imposed on the authority of a county governing body to levy a business ~~an occupational license~~ tax:

(a) The tax must be based upon reasonable classifications and must be uniform throughout any class.

(b) Unless the county implements s. 205.0535 or adopts a new business ~~occupational-license~~ tax ordinance under s. 205.0315, a business ~~an occupational-license~~ tax levied under this subsection may not exceed the rate provided by this chapter in effect for the year beginning October 1, 1971; however, beginning October 1, 1980, the county governing body may increase business ~~occupational-license~~ taxes authorized by this chapter. The amount of the increase above the ~~license~~ tax rate levied on October 1, 1971, for ~~license~~ taxes levied at a flat rate may be up to 100 percent for business ~~occupational-license~~ taxes that are \$100 or less; 50 percent for business ~~occupational-license~~ taxes that are between \$101 and \$300; and 25 percent for business ~~occupational-license~~ taxes that are more than \$300. Beginning October 1, 1982, the increase may not exceed 25 percent for ~~license~~ taxes levied at graduated or per unit rates. Authority to increase business ~~occupational-license~~ taxes does not apply to licenses or certificates granted to any

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145 utility franchised by the county for which a franchise fee is  
146 paid.

147 (c) A receipt license is not valid for more than 1 year,  
148 and all receipts licenses expire on September 30 of each year,  
149 except as otherwise provided by law.

150 (2) Any receipt business license may be transferred to a  
151 new owner, when there is a bona fide sale of the business, upon  
152 payment of a transfer fee of up to 10 percent of the annual  
153 business license tax, but not less than \$3 nor more than \$25,  
154 and presentation of the original receipt license and evidence of  
155 the sale.

156 (3) Upon written request and presentation of the original  
157 receipt license, any receipt license may be transferred from one  
158 location to another location in the same county upon payment of  
159 a transfer fee of up to 10 percent of the annual business  
160 license tax, but not less than \$3 nor more than \$25.

161 (4) The revenues derived from the business occupational  
162 license tax, exclusive of the costs of collection and any credit  
163 given for municipal business license taxes, shall be apportioned  
164 between the unincorporated area of the county and the  
165 incorporated municipalities located therein by a ratio derived  
166 by dividing their respective populations by the population of  
167 the county. This subsection does not apply to counties that have  
168 established a new rate structure under s. 205.0535.

169 (5) The revenues so apportioned shall be sent to the  
170 governing authority of each municipality, according to its  
171 ratio, and to the governing authority of the county, according  
172 to the ratio of the unincorporated area, within 15 days  
173 following the month of receipt. This subsection does not apply  
174 to counties that have established a new rate structure under s.  
175 205.0535.

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176 (6) (a) Each county, as defined in s. 125.011(1), or any  
177 county adjacent thereto may levy and collect, by an ordinance  
178 enacted by the governing body of the county, an additional  
179 business ~~occupational license~~ tax up to 50 percent of the  
180 appropriate business ~~license~~ tax imposed under subsection (1).

181 (b) Subsections (4) and (5) do not apply to any revenues  
182 derived from the additional tax imposed under this subsection.  
183 Proceeds from the additional business ~~license~~ tax must be placed  
184 in a separate interest-earning account, and the governing body  
185 of the county shall distribute this revenue, plus accrued  
186 interest, each fiscal year to an organization or agency  
187 designated by the governing body of the county to oversee and  
188 implement a comprehensive economic development strategy through  
189 advertising, promotional activities, and other sales and  
190 marketing techniques.

191 (c) An ordinance that levies an additional business  
192 ~~occupational license~~ tax under this subsection may not be  
193 adopted after January 1, 1995.

194 (7) Notwithstanding any other provisions of this chapter,  
195 the revenue received from a county business ~~occupational license~~  
196 tax may be used for overseeing and implementing a comprehensive  
197 economic development strategy through advertising, promotional  
198 activities, and other sales and marketing techniques.

199 Section 7. Section 205.042, Florida Statutes, is amended  
200 to read:

201 205.042 Levy; municipalities.--The governing body of an  
202 incorporated municipality may levy, by appropriate resolution or  
203 ordinance, a business ~~an occupational license~~ tax for the  
204 privilege of engaging in or managing any business, profession,  
205 or occupation within its jurisdiction. However, the governing  
206 body must first give at least 14 days' public notice between the

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first and last reading of the resolution or ordinance by publishing the notice in a newspaper of general circulation within its jurisdiction as defined by law. The notice must contain the proposed classifications and rates applicable to the business occupational license tax. The business occupational license tax may be levied on:

(1) Any person who maintains a permanent business location or branch office within the municipality, for the privilege of engaging in or managing any business within its jurisdiction.

(2) Any person who maintains a permanent business location or branch office within the municipality, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

(3) Any person who does not qualify under subsection (1) or subsection (2) and who transacts any business or engages in any occupation or profession in interstate commerce, if the business license tax is not prohibited by s. 8, Art. I of the United States Constitution.

Section 8. Section 205.043, Florida Statutes, is amended to read:

205.043 Conditions for levy; municipalities.--

(1) The following conditions are imposed on the authority of a municipal governing body to levy a business ~~an occupational license~~ tax:

(a) The tax must be based upon reasonable classifications and must be uniform throughout any class.

(b) Unless the municipality implements s. 205.0535 or adopts a new business ~~occupational license~~ tax ordinance under s. 205.0315, a business ~~an occupational license~~ tax levied under this subsection may not exceed the rate in effect in the municipality for the year beginning October 1, 1971; however,

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beginning October 1, 1980, the municipal governing body may increase business ~~occupational license~~ taxes authorized by this chapter. The amount of the increase above the ~~license~~ tax rate levied on October 1, 1971, for ~~license~~ taxes levied at a flat rate may be up to 100 percent for business ~~occupational license~~ taxes that are \$100 or less; 50 percent for business ~~occupational license~~ taxes that are between \$101 and \$300; and 25 percent for business ~~occupational license~~ taxes that are more than \$300. Beginning October 1, 1982, an increase may not exceed 25 percent for ~~license~~ taxes levied at graduated or per unit rates. Authority to increase business ~~occupational license~~ taxes does not apply to certificates or licenses granted to any utility franchised by the municipality for which a franchise fee is paid.

(c) A receipt ~~license~~ is not valid for more than 1 year and all receipts ~~licenses~~ expire on September 30 of each year, except as otherwise provided by law.

(2) Any business receipt ~~license~~ may be transferred to a new owner, when there is a bona fide sale of the business, upon payment of a transfer fee of up to 10 percent of the annual ~~license~~ tax, but not less than \$3 nor more than \$25, and presentation of the original receipt ~~license~~ and evidence of the sale.

(3) Upon written request and presentation of the original receipt ~~license~~, any receipt ~~license~~ may be transferred from one location to another location in the same municipality upon payment of a transfer fee of up to 10 percent of the annual ~~license~~ tax, but not less than \$3 nor more than \$25.

(4) If the governing body of the county in which the municipality is located has levied a business ~~an occupational~~ ~~license~~ tax or subsequently levies such a tax, the collector of

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the county tax may issue the receipt license and collect the tax thereon.

Section 9. Section 205.045, Florida Statutes, is amended to read:

205.045 Transfer of administrative duties.--The governing body of a municipality that levies a business ~~an occupational license~~ tax may request that the county in which the municipality is located issue the municipal receipt license and collect the tax thereon. The governing body of a county that levies a business ~~an occupational license~~ tax may request that municipalities within the county issue the county receipt license and collect the tax thereon. Before any local government may issue receipts ~~occupational licenses~~ on behalf of another local government, appropriate agreements must be entered into by the affected local governments.

Section 10. Section 205.053, Florida Statutes, is amended to read:

205.053 Business tax receipts ~~Occupational licenses~~; dates due and delinquent; penalties.--

(1) All business tax receipts ~~licenses~~ shall be sold by the appropriate tax collector beginning August 1 of each year, are due and payable on or before September 30 of each year, and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Provisions for partial receipts ~~licenses~~ may be made in the resolution or ordinance authorizing such receipts ~~licenses~~. Receipts ~~Licenses~~ that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total

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delinquency penalty may not exceed 25 percent of the business  
~~occupational license~~ tax for the delinquent establishment.

(2) Any person who engages in or manages any business,  
occupation, or profession without first obtaining a local  
business tax receipt ~~occupational license~~, if required, is  
subject to a penalty of 25 percent of the tax ~~license~~ due, in  
addition to any other penalty provided by law or ordinance.

(3) Any person who engages in any business, occupation, or  
profession covered by this chapter, who does not pay the  
required business ~~occupational license~~ tax within 150 days after  
the initial notice of tax due, and who does not obtain the  
required receipt ~~occupational license~~ is subject to civil  
actions and penalties, including court costs, reasonable  
attorneys' fees, additional administrative costs incurred as a  
result of collection efforts, and a penalty of up to \$250.

Section 11. Section 205.0532, Florida Statutes, is amended  
to read:

205.0532 Revocation or refusal to renew; doing business  
with Cuba.--Any local governing authority issuing a business tax  
receipt ~~an occupational license~~ to any individual, business, or  
entity under this chapter may revoke or refuse to renew such  
receipt ~~license~~ if the individual, business, or entity, or  
parent company of such individual, business, or entity, is doing  
business with Cuba.

Section 12. Section 205.0535, Florida Statutes, is amended  
to read:

205.0535 Reclassification and rate structure revisions.--

(1) By October 1, 1995, any municipality or county may, by  
ordinance, reclassify businesses, professions, and occupations  
and may establish new rate structures, if the conditions  
specified in subsections (2) and (3) are met. A person who is

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engaged in the business of providing local exchange telephone service or a pay telephone service in a municipality or in the unincorporated area of a county and who pays the business ~~occupational license~~ tax under the category designated for telephone companies or a pay telephone service provider certified pursuant to s. 364.3375 is deemed to have but one place of business or business location in each municipality or unincorporated area of a county. Pay telephone service providers may not be assessed a business ~~an occupational license~~ tax on a per-instrument basis.

(2) Before adopting a reclassification and revision ordinance, the municipality or county must establish an equity study commission and appoint its members. Each member of the study commission must be a representative of the business community within the local government's jurisdiction. Each equity study commission shall recommend to the appropriate local government a classification system and rate structure for business ~~local occupational license~~ taxes.

(3) (a) After the reclassification and rate structure revisions have been transmitted to and considered by the appropriate local governing body, it may adopt by majority vote a new business ~~occupational license~~ tax ordinance. Except that a minimum ~~license~~ tax of up to \$25 is permitted, the reclassification ~~may~~ shall not increase the ~~occupational license~~ tax by more than the following: for receipts ~~licenses~~ costing \$150 or less, 200 percent; for receipts ~~licenses~~ costing more than \$150 but not more than \$500, 100 percent; for receipts ~~licenses~~ costing more than \$500 but not more than \$2,500, 75 percent; for receipts ~~licenses~~ costing more than \$2,500 but not more than \$10,000, 50 percent; and for receipts ~~licenses~~ costing

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361 more than \$10,000, 10 percent; however, in no case may the tax  
362 on any receipt license be increased more than \$5,000.

363 (b) The total annual revenue generated by the new rate  
364 structure for the fiscal year following the fiscal year during  
365 which the rate structure is adopted may not exceed:

366 1. For municipalities, the sum of the revenue base and 10  
367 percent of that revenue base. The revenue base is the sum of the  
368 business occupational license tax revenue generated by receipts  
369 licenses issued for the most recently completed local fiscal  
370 year or the amount of revenue that would have been generated  
371 from the authorized increases under s. 205.043(1)(b), whichever  
372 is greater, plus any revenue received from the county under s.  
373 205.033(4).

374 2. For counties, the sum of the revenue base, 10 percent  
375 of that revenue base, and the amount of revenue distributed by  
376 the county to the municipalities under s. 205.033(4) during the  
377 most recently completed local fiscal year. The revenue base is  
378 the business occupational license tax revenue generated by  
379 receipts licenses issued for the most recently completed local  
380 fiscal year or the amount of revenue that would have been  
381 generated from the authorized increases under s. 205.033(1)(b),  
382 whichever is greater, but may not include any revenues  
383 distributed to municipalities under s. 205.033(4).

384 (c) In addition to the revenue increases authorized by  
385 paragraph (b), revenue increases attributed to the increases in  
386 the number of receipts licenses issued are authorized.

387 (4) After the conditions specified in subsections (2) and  
388 (3) are met, municipalities and counties may, every other year  
389 thereafter, increase by ordinance the rates of business local  
390 occupational license taxes by up to 5 percent. The increase,

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however, may not be enacted by less than a majority plus one vote of the governing body.

(5) A receipt may not ~~No license shall~~ be issued unless the federal employer identification number or social security number is obtained from the person to be taxed ~~licensed~~.

Section 13. Section 205.0536, Florida Statutes, is amended to read:

205.0536 Distribution of county revenues.--A county that establishes a new rate structure under s. 205.0535 shall retain all business ~~occupational license~~ tax revenues collected from businesses, professions, or occupations whose places of business are located within the unincorporated portions of the county. Any business ~~occupational license~~ tax revenues collected by a county that establishes a new rate structure under s. 205.0535 from businesses, professions, or occupations whose places of business are located within a municipality, exclusive of the costs of collection, must be apportioned between the unincorporated area of the county and the incorporated municipalities located therein by a ratio derived by dividing their respective populations by the population of the county. As used in this section, the term "population" means the latest official state estimate of population certified under s. 186.901. The revenues so apportioned shall be sent to the governing authority of each municipality, according to its ratio, and to the governing authority of the county, according to the ratio of the unincorporated area, within 15 days after the month of receipt.

Section 14. Section 205.0537, Florida Statutes, is amended to read:

205.0537 Vending and amusement machines.--The business premises where a coin-operated or token-operated vending machine

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422 that dispenses products, merchandise, or services or where an  
423 amusement or game machine is operated must assure that any  
424 required municipal or county business tax certificate  
425 ~~occupational license~~ for the machine is secured. The term  
426 "vending machine" does not include coin-operated telephone sets  
427 owned by persons who are in the business of providing local  
428 exchange telephone service and who pay the business tax  
429 ~~occupational license~~ under the category designated for telephone  
430 companies in the municipality or county or a pay telephone  
431 service provider certified pursuant to s. 364.3375. The business  
432 ~~license~~ tax for vending and amusement machines must be assessed  
433 based on the highest number of machines located on the business  
434 premises on any single day during the previous receipted  
435 ~~licensing~~ year or, in the case of new businesses, be based on an  
436 estimate for the current year. Replacement of one vending  
437 machine with another machine during a receipted ~~licensing~~ year  
438 does not affect the tax assessment for that year, unless the  
439 replacement machine belongs to a business ~~an occupational~~  
440 ~~license~~ tax classification that requires a higher tax rate. For  
441 the first year in which a municipality or county assesses a  
442 business ~~an occupational license~~ tax on vending machines, each  
443 business owning machines located in the municipality or county  
444 must notify the municipality or county, upon request, of the  
445 location of such machines. Each business owning machines must  
446 provide notice of the provisions of this section to each  
447 affected business premises where the machines are located. The  
448 business premises must secure the receipt ~~license~~ if it is not  
449 otherwise secured.

450 Section 15. Section 205.054, Florida Statutes, is amended  
451 to read:

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Amendment No. 1 (for drafter's use only)

205.054 Business ~~Occupational~~-license tax; partial exemption for engaging in business or occupation in enterprise zone.--

(1) Notwithstanding the provisions of s. 205.033(1)(a) or s. 205.043(1)(a), the governing body of a county or municipality may authorize by appropriate resolution or ordinance, adopted pursuant to the procedure established in s. 205.032 or s. 205.042, the exemption of 50 percent of the business ~~occupational~~-license tax levied for the privilege of engaging in or managing any business, profession, or occupation in the respective jurisdiction of the county or municipality when such privilege is exercised at a permanent business location or branch office located in an enterprise zone.

(2) Such exemption applies to each classification for which a business tax ~~an occupational license~~ is required in the jurisdiction. Classifications shall be the same in an enterprise zone as elsewhere in the jurisdiction. Each county or municipal business tax receipt ~~occupational license~~ issued with the exemption authorized in this section shall be in the same general form as the other county or municipal business tax receipts ~~occupational licenses~~ and shall expire at the same time as those other receipts ~~licenses~~ expire as fixed by law. Any receipt ~~license~~ issued with the exemption authorized in this section is nontransferable. The exemption authorized in this section does not apply to any penalty authorized in s. 205.053.

(3) Each tax collecting authority of a county or municipality which provides the exemption authorized in this section shall issue to each person who may be entitled to the exemption a receipt ~~license~~ pursuant to the provisions contained in this section. Before a receipt ~~license~~ with such exemption is issued to an applicant, the tax collecting authority must, in

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each case, be provided proof that the applicant is entitled to such exemption. Such proof shall be made by means of a statement filed under oath with the tax collecting authority, which statement indicates that the permanent business location or branch office of the applicant is located in an enterprise zone of a jurisdiction which has authorized the exemption permitted in this section.

(4) Any receipt license obtained with the exemption authorized in this subsection by the commission of fraud upon the issuing authority ~~is shall be deemed null and void~~. Any person who has fraudulently obtained such exemption and thereafter engages, under color of the receipt license, in any business, profession, or occupation requiring the business tax receipt license is subject to prosecution for engaging in a business, profession, or occupation without having the required receipt license under the laws of the state.

(5) ~~If In the event~~ an area nominated as an enterprise zone pursuant to s. 290.0055 has not yet been designated pursuant to s. 290.0065, the governing body of a county or municipality may enact the appropriate ordinance or resolution authorizing the exemption permitted in this section; however, such ordinance or resolution will not be effective until such area is designated pursuant to s. 290.0065.

(6) This section expires on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act; and a receipt may not ~~no license shall~~ be issued with the exemption authorized in this section for any period beginning on or after that date.

Section 16. Section 205.063, Florida Statutes, is amended to read:

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513        205.063 Exemptions; motor vehicles.--Vehicles used by any  
514 person receipted ~~licensed~~ under this chapter for the sale and  
515 delivery of tangible personal property at ~~either~~ wholesale or  
516 retail from his or her place of business on which a business tax  
517 ~~license~~ is paid may ~~shall~~ not be construed to be separate places  
518 of business, and a business tax ~~no license~~ may not be levied on  
519 such vehicles or the operators thereof as salespersons or  
520 otherwise by a county or incorporated municipality, any other  
521 law to the contrary notwithstanding.

522        Section 17. Section 205.064, Florida Statutes, is amended  
523 to read:

524        205.064 Farm, aquacultural, grove, horticultural,  
525 floricultural, tropical piscicultural, and tropical fish farm  
526 products; certain exemptions.--

527        (1) A No local business tax receipt is not occupational  
528 ~~license shall be~~ required of any natural person for the  
529 privilege of engaging in the selling of farm, aquacultural,  
530 grove, horticultural, floricultural, tropical piscicultural, or  
531 tropical fish farm products, or products manufactured therefrom,  
532 except intoxicating liquors, wine, or beer, when such products  
533 were grown or produced by such natural person in the state.

534        (2) A wholesale farmers' produce market may ~~shall have the~~  
535 ~~right to~~ pay a tax of not more than \$200 for a receipt license  
536 that will entitle the market's stall tenants to engage in the  
537 selling of agricultural and horticultural products therein, in  
538 lieu of such tenants being required to obtain individual local  
539 business tax receipts ~~occupational licenses~~ to so engage.

540        Section 18. Section 205.065, Florida Statutes, is amended  
541 to read:

542        205.065 Exemption; nonresident persons regulated by the  
543 Department of Business and Professional Regulation.--If any

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544 person engaging in or managing a business, profession, or  
545 occupation regulated by the Department of Business and  
546 Professional Regulation has paid a business ~~an occupational~~  
547 ~~license~~ tax for the current year to the county or municipality  
548 in the state where the person's permanent business location or  
549 branch office is maintained, no other local governing authority  
550 may levy a business ~~an occupational license~~ tax, or any  
551 registration or regulatory fee equivalent to the business  
552 ~~occupational license~~ tax, on the person for performing work or  
553 services on a temporary or transitory basis in another  
554 municipality or county. ~~In no event shall any~~ Work or services  
555 performed in a place other than the county or municipality where  
556 the permanent business location or branch office is maintained  
557 may not be construed as creating a separate business location or  
558 branch office of that person for the purposes of this chapter.  
559 Any properly licensed contractor asserting an exemption under  
560 this section who is unlawfully required by the local governing  
561 authority to pay a business ~~an occupational license~~ tax, or any  
562 registration or regulatory fee equivalent to a business ~~the~~  
563 ~~occupational license~~ tax, has ~~shall have~~ standing to challenge  
564 the propriety of the local government's actions, and the  
565 prevailing party in such a challenge is entitled to recover a  
566 reasonable attorney's fee.

567 Section 19. Section 205.162, Florida Statutes, is amended  
568 to read:

569 205.162 Exemption allowed certain disabled persons, the  
570 aged, and widows with minor dependents.--

571 (1) All disabled persons physically incapable of manual  
572 labor, widows with minor dependents, and persons 65 years of age  
573 or older, with not more than one employee or helper, and who use  
574 their own capital only, not in excess of \$1,000, may ~~shall be~~

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575 allowed to engage in any business or occupation in counties in  
576 which they live without being required to pay for a business tax  
577 license. The exemption provided by this section shall be allowed  
578 only upon the certificate of the county physician, or other  
579 reputable physician, that the applicant claiming the exemption  
580 is disabled, the nature and extent of the disability being  
581 specified therein, and in case the exemption is claimed by a  
582 widow with minor dependents, or a person over 65 years of age,  
583 proof of the right to the exemption shall be made. Any person  
584 entitled to the exemption provided by this section shall, upon  
585 application and furnishing of the necessary proof as aforesaid,  
586 be issued a receipt license which shall have plainly stamped or  
587 written across the face thereof the fact that it is issued under  
588 this section, and the reason for the exemption shall be written  
589 thereon.

590 (2) ~~Neither in no event under this nor or any other law~~  
591 ~~exempts shall any person, veteran or otherwise, be allowed any~~  
592 ~~exemption whatsoever~~ from the payment of any amount required by  
593 law for the issuance of a license to sell intoxicating liquors  
594 or malt and vinous beverages.

595 Section 20. Section 205.171, Florida Statutes, is amended  
596 to read:

597 205.171 Exemptions allowed disabled veterans of any war or  
598 their unremarried spouses.--

599 (1) Any bona fide, permanent resident elector of the state  
600 who served as an officer or enlisted person during any of the  
601 periods specified in s. 1.01(14) in the Armed Forces of the  
602 United States, National Guard, or United States Coast Guard or  
603 Coast Guard Reserve, or any temporary member thereof, who has  
604 actually been, or may hereafter be, reassigned by the air force,  
605 army, navy, coast guard, or marines to active duty during any

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606 war, declared or undeclared, armed conflicts, crises, etc., who  
607 was honorably discharged from the service of the United States,  
608 and who at the time of his or her application for a business tax  
609 receipt is license as hereinafter mentioned shall be disabled  
610 from performing manual labor shall, upon sufficient  
611 identification, proof of being a permanent resident elector in  
612 the state, and production of an honorable discharge from the  
613 service of the United States:

614 (a) Be granted a receipt license to engage in any business  
615 or occupation in the state which may be carried on mainly  
616 through the personal efforts of the receiptholder licensee as a  
617 means of livelihood and for which the state license or, county,  
618 or municipal receipt license does not exceed the sum of \$50 for  
619 each without payment of any business license tax otherwise  
620 provided for by law; or

621 (b) Be entitled to an exemption to the extent of \$50 on  
622 any receipt license to engage in any business or occupation in  
623 the state which may be carried on mainly through the personal  
624 efforts of the receiptholder licensee as a means of livelihood  
625 when the state license or, county, or municipal receipt license  
626 for such business or occupation is shall be more than \$50. The  
627 exemption heretofore referred to shall extend to and include the  
628 right of the receiptholder licensee to operate an automobile-  
629 for-hire of not exceeding five-passenger capacity, including the  
630 driver, when it shall be made to appear that such automobile is  
631 bona fide owned or contracted to be purchased by the  
632 receiptholder licensee and is being operated by him or her as a  
633 means of livelihood and that the proper business license tax for  
634 the operation of such motor vehicle for private use has been  
635 applied for and attached to the said motor vehicle and the  
636 proper fees therefor paid by the receiptholder licensee.

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637 (2) When any such person applies ~~shall apply~~ for a receipt  
638 license to conduct any business or occupation for which either  
639 the county or municipal business license tax exceeds ~~as fixed by~~  
640 ~~law shall exceed the sum of~~ \$50, the remainder of such license  
641 tax in excess of \$50 shall be paid in cash.

642 (3) Each ~~and every~~ tax collecting authority of this state  
643 and of each county ~~thereof~~ and each municipality ~~therein~~ shall  
644 issue to such persons as may be entitled hereunder a receipt  
645 license pursuant to the foregoing provision and subject to the  
646 conditions thereof. Such receipt license when issued shall be  
647 marked across the face ~~thereof~~ "Veterans Exempt Receipt  
648 License"--"Not Transferable." Before issuing the receipt ~~same~~,  
649 proof shall be duly made ~~in each case~~ that the applicant is  
650 entitled under ~~the conditions of~~ this law to receive the  
651 exemption ~~herein provided for~~. The proof may be made by  
652 establishing to the satisfaction of such tax collecting  
653 authority by means of certificate of honorable discharge or  
654 certified copy thereof that the applicant is a veteran within  
655 the purview of this section and by exhibiting:

656 (a) A certificate of government-rated disability to an  
657 extent of 10 percent or more;

658 (b) The affidavit or testimony of a reputable physician  
659 who personally knows the applicant and who makes oath that the  
660 applicant is disabled from performing manual labor as a means of  
661 livelihood;

662 (c) The certificate of the veteran's service officer of  
663 the county in which applicant lives, duly executed under the  
664 hand and seal of the chief officer and secretary thereof,  
665 attesting the fact that the applicant is disabled and entitled  
666 to receive a receipt license within the meaning and intent of  
667 this section;

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(d) A pension certificate issued to him or her by the United States by reason of such disability; or

(e) Such other reasonable proof as may be required by the tax collecting authority to establish the fact that such applicant is ~~so~~ disabled.

All receipts ~~licenses~~ issued under this section shall be in the same general form as other state, county, and municipal licenses and shall expire at the same time as such other licenses are fixed by law to expire.

(4) Receipts ~~All licenses~~ obtained ~~under the provisions of this section~~ by the commission of fraud upon any issuing authority are ~~shall be deemed null and void~~. Any person who has fraudulently obtained a receipt ~~any such license~~, or who has fraudulently received any transfer of a receipt ~~license~~ issued to another, and has thereafter engaged in any business or occupation requiring a receipt ~~license~~ under color thereof is ~~shall be~~ subject to prosecution ~~as~~ for engaging in a business or occupation without having the required receipt ~~license~~ under the laws of the state. Such receipt ~~may license~~ shall not be issued in any county other than the county where the ~~wherein said~~ veteran is a ~~bona fide~~ resident citizen elector, unless such veteran produces ~~applying therefor shall produce to the tax collecting authority in such county a receipt certificate~~ of the tax collector of his or her home county to the effect that no exemption from taxation ~~license~~ has been granted to such veteran in his or her home county under ~~the authority of this section~~.

(5) Neither ~~In no event, under this nor or~~ any other law exempts, ~~shall any person, veteran or otherwise, be allowed any exemption whatsoever~~ from the payment of any amount required by

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law for the issuance of a license to sell intoxicating liquors or malt and vinous beverages.

(6) The unremarried spouse of a ~~the~~ deceased disabled veteran of any war in which the United States Armed Forces participated is ~~will be~~ entitled to the same exemptions as the disabled veteran.

Section 21. Section 205.191, Florida Statutes, is amended to read:

205.191 Religious tenets; exemption.--~~Nothing in This chapter does not shall be construed to~~ require a business tax receipt license for practicing the religious tenets of any church.

Section 22. Section 205.192, Florida Statutes, is amended to read:

205.192 Charitable, etc., organizations; occasional sales, fundraising; exemption.--A business tax receipt is not ~~No occupational license shall be~~ required of any charitable, religious, fraternal, youth, civic, service, or other similar ~~such organization that when the organization~~ makes occasional sales or engages in fundraising projects that when the projects are performed exclusively by the members, ~~thereof and when the~~ proceeds derived from the activities are used exclusively in the charitable, religious, fraternal, youth, civic, and service activities of the organization.

Section 23. Section 205.193, Florida Statutes, is amended to read:

205.193 Mobile home setup operations; local business tax receipt license prohibited; exception.--A ~~No~~ county, municipality, or other unit of local government may not require a ~~duly~~ licensed mobile home dealer or a ~~duly~~ licensed mobile home manufacturer, or an employee of a ~~such~~ dealer or

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729 manufacturer, who performs setup operations as defined in s.  
730 320.822 to be a business tax receipt holder ~~licensed~~ to engage in  
731 such operations. However, such dealer or manufacturer must ~~shall~~  
732 ~~be required to~~ obtain a local receipt ~~occupational license~~ for  
733 his or her permanent business location or branch office, which  
734 receipt license shall not require for its issuance any  
735 conditions other than those required by chapter 320.

736 Section 24. Section 205.194, Florida Statutes, is amended  
737 to read:

738 205.194 Prohibition of local business tax receipt  
739 ~~occupational licensure~~ without exhibition of state license or  
740 registration.--

741 (1) Any person applying for or renewing a local business  
742 tax receipt ~~occupational license~~ for the ~~licensing~~ period  
743 beginning October 1, 1985, to practice any profession regulated  
744 by the Department of Business and Professional Regulation, or  
745 any board or commission thereof, must exhibit an active state  
746 certificate, registration, or license, or proof of copy of the  
747 same, before such local receipt ~~occupational license~~ may be  
748 issued. Thereafter, only persons applying for the first time for  
749 a receipt ~~local occupational license~~ must exhibit such  
750 certification, registration, or license.

751 (2) The Department of Business and Professional Regulation  
752 shall, by August 1 of each year, supply to the local official  
753 who issues local business tax receipts ~~occupational licenses~~ a  
754 current list of professions it regulates and information  
755 regarding those persons for whom receipts ~~local occupational~~  
756 ~~licenses~~ should not be renewed due to the suspension,  
757 revocation, or inactivation of such person's state license,  
758 certificate, or registration. The official who issues local  
759 business tax receipts ~~occupational licenses~~ shall not renew such

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license unless such person can exhibit an active state certificate, registration, or license.

(3) This section shall not apply to s. 489.113, s. 489.117, s. 489.119, s. 489.131, s. 489.511, s. 489.513, s. 489.521, or s. 489.537.

Section 25. Section 205.196, Florida Statutes, is amended to read:

205.196 Pharmacies and pharmacists.--~~A~~ No state, county, or municipal licensing agency may not ~~shall~~ issue a business tax receipt ~~an occupational license~~ to operate a pharmacy unless the applicant produces ~~shall first exhibit~~ a current permit issued by the Board of Pharmacy; however, no such receipt is ~~occupational license shall be~~ required ~~in order~~ to practice the profession of pharmacy.

Section 26. Section 205.1965, Florida Statutes, is amended to read:

205.1965 Assisted living facilities.--A county or municipality may not issue a business tax receipt ~~an occupational license~~ for the operation of an assisted living facility pursuant to part III of chapter 400 without first ascertaining that the applicant has been licensed by the Agency for Health Care Administration to operate such facility at the specified location or locations. The Agency for Health Care Administration shall furnish to local agencies responsible for issuing business tax receipts ~~occupational licenses~~ sufficient instructions for making the ~~above~~ required determinations.

Section 27. Section 205.1967, Florida Statutes, is amended to read:

205.1967 Prerequisite for issuance of pest control business tax receipt ~~occupational license~~.--A municipality or county may not issue a business tax receipt ~~an occupational~~

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791 ~~license~~ to any pest control business regulated ~~coming~~ under  
792 chapter 482, unless a current license has been procured from the  
793 Department of Agriculture and Consumer Services for each of its  
794 business locations in that municipality or county. Upon  
795 presentation of the requisite licenses from the department and  
796 the required fee, a business tax receipt ~~an occupational license~~  
797 shall be issued by the municipality or county in which  
798 application is made.

799 Section 28. Section 205.1969, Florida Statutes, is amended  
800 to read:

801 205.1969 Health studios; consumer protection.--A ~~No~~ county  
802 or municipality may not ~~shall~~ issue or renew a business tax  
803 receipt ~~an occupational license~~ for the operation of a health  
804 studio pursuant to ss. 501.012-501.019 or ballroom dance studio  
805 pursuant to s. 501.143, unless such business exhibits a current  
806 license, registration, or letter of exemption from the  
807 Department of Agriculture and Consumer Services.

808 Section 29. Section 205.1971, Florida Statutes, is amended  
809 to read:

810 205.1971 Sellers of travel; consumer protection.--A ~~No~~  
811 county or municipality may not ~~shall~~ issue or renew a business  
812 tax receipt ~~an occupational license~~ to engage in business as a  
813 seller of travel pursuant to part XI of chapter 559 unless such  
814 business exhibits a current registration or letter of exemption  
815 from the Department of Agriculture and Consumer Services.

816 Section 30. Section 205.1973, Florida Statutes, is amended  
817 to read:

818 205.1973 Telemarketing businesses; consumer protection.--A  
819 county or municipality may not issue or renew a business tax  
820 receipt ~~an occupational license~~ for the operation of a  
821 telemarketing business under ss. 501.604 and 501.608, unless

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such business exhibits a current license or registration from  
the Department of Agriculture and Consumer Services or a current  
affidavit of exemption.

Section 31. This act shall take effect January 1, 2007.

===== T I T L E A M E N D M E N T =====

Remove line 10 and insert:

"receipt" as it relates to business taxes; amending

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 1297 : Town of Grant-Valkaria, Brevard County

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

# COUNCIL MEETING REPORT

## Local Government Council

4/11/2006 1:00:00PM

Location: 404 HOB

HB 1509 : Flagler Estates Road and Water Control District, St. Johns County

<input checked="" type="checkbox"/> Favorable With Committee Substitute					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Mike Davis	X				
Terry Fields	X				
D. Alan Hays	X				
Matthew Meadows	X				
Julio Robaina	X				
Yolly Roberson				X	
Ken Sorensen (Chair)	X				
Total Yeas: 7		Total Nays: 0			

### Appearances:

Chris Lyon (Lobbyist) - Proponent  
Flagler Estates Road & Water Control District  
125 S Gadsden Street  
Tallahassee FL 32301  
Phone: 850-222-5702

Phil Leary (Lobbyist) - Proponent  
Hastings Drainage District  
Palatka FL

Committee meeting was reported out: Tuesday, April 11, 2006 4:10:36PM

Leagis ®

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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Bill No. 1509

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Local Government

2 Representative Proctor offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Sections 1 and 3 of section 4 of chapter 98-529,  
7 Laws of Florida, are amended to read:

8 Section 1. Powers and authority.--

9 (1) The ~~drainage~~ district originally was empowered to  
10 accept and maintain drainage improvements already in existence  
11 and to operate pursuant to the general drainage laws of chapter  
12 298, Florida Statutes. In addition to the powers provided for in  
13 chapter 298, Florida Statutes, in 1981 the district was granted  
14 the power to maintain roadways and roads necessary and  
15 convenient for the exercise of the powers or duties ~~or any of~~  
16 ~~the powers or duties~~ of said district; and in furtherance of the  
17 purposes and intent of chapter 298, Florida Statutes, to  
18 maintain streets, roadways, and roads necessary and convenient  
19 to provide access to and efficient development of areas made  
20 suitable and available for cultivation and settlement, urban and  
21 suburban, and other beneficial use and development as a result  
22 of the drainage, irrigation, and reclamation operations of the

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23 district for the lands ~~only~~ within the boundaries of the  
24 district situated in St. Johns ~~John's~~ County. ~~This road~~  
25 ~~authority geographically was expanded in 1982 to include the~~  
26 ~~lands within the boundaries of the district situated in Flagler~~  
27 ~~County as well as a component of the district's road maintenance~~  
28 ~~authority within the district boundaries.~~ This authority was ~~is~~  
29 hereby specified to include, but not be limited to, street  
30 lighting, road striping, reconstruction, and any other safety  
31 features or improvements customary to a modern road system.

32 (2) Pursuant to chapter 298, Florida Statutes, as amended  
33 from time to time, and this special act, the district shall have  
34 full power and authority to construct, operate, maintain,  
35 repair, and replace any and all works and improvements necessary  
36 to execute the district's water control plan. The works of the  
37 district include, without limitation, all waterways, water  
38 control structures, equipment, facilities, real property  
39 interests, roads, streets, lighting, and appurtenant facilities  
40 owned, operated, or maintained by the district or included in  
41 the district water control plan. Provided that the district  
42 recognizes that it is subject to the provisions of Chapter 2005-  
43 345, Laws of Florida, in so far as that chapter relates to the  
44 Flagler Estates Road and Water Control District formerly know as  
45 Sixteen Mile Creek Water Control District.

46 (3) Pursuant to this section, the Hastings Drainage  
47 District and the Flagler Estates Road and Water Control District  
48 shall, with the assistance and advice of the St. Johns River  
49 Water Management District, enter into an interlocal agreement by  
50 December 31, 2006, incorporating provisions for cooperative  
51 operation of interconnected water control facilities.

52 (34) Surplus real property owned by the district can be  
53 made available to the public for passive use and the district is

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54 authorized to enter into lease or interlocal agreements with  
55 other governmental entities for the operation and/or maintenance  
56 of such passive use areas within the district boundaries.

57 Section 3. Boundaries.--The district boundaries originally  
58 were established in the Final Judgment Incorporating the  
59 Drainage District by the Seventh Judicial Circuit Court, St.  
60 Johns County, Florida, on June 4, 1971, as recorded in O.R. 194,  
61 page 344, Public Records of St. Johns County, Florida, in Case  
62 #2154 and as subsequently extended by Order of the Seventh  
63 Judicial Circuit Court, St. Johns County, Florida, on August 16,  
64 1972, as recorded in O.R. 194, page 344, and O.R. 224, page 26,  
65 Public Records of St. Johns County, Florida, in Case # 2154.  
66 Several Special Acts further adjusted the district boundaries.  
67 Section 2 of chapter 81-481, Laws of Florida, extended district  
68 boundaries into St. Johns County; section 3 of chapter 81-481,  
69 Laws of Florida, removed lands from Hastings Drainage District;  
70 section 2 of chapter 82-294, Laws of Florida, extended district  
71 boundaries in Flagler County; and chapter 89-505, Laws of  
72 Florida, reduced the size of the district in St. Johns County,  
73 and chapter 2000-479, Laws of Florida, removed Flagler County  
74 from the jurisdiction of the district. The consolidated legal  
75 description of the boundaries of the district is:

76 THAT PORTION OF TOWNSHIP 10 SOUTH, RANGE 28 EAST, LYING AND  
77 BEING IN ST. JOHNS COUNTY ~~AND FLAGLER COUNTIES~~, FLORIDA,  
78 DESCRIBED AS FOLLOWS:

79 BEGIN AT THE NORTHEAST CORNER OF SAID TOWNSHIP 10 SOUTH,  
80 RANGE 28 EAST; THENCE RUN SOUTHERLY ALONG THE EAST LINE OF  
81 SAID TOWNSHIP 10 SOUTH, RANGE 28 EAST TO THE SOUTHERN  
82 BOUNDARY OF ST JOHNS COUNTY; THENCE RUN WESTERLY ALONG THE  
83 SAID SOUTHERN BOUNDARY OF ST JOHNS COUNTY ~~SOUTHEAST CORNER~~  
84 ~~OF SECTION 24~~; THENCE RUN WESTERLY ALONG THE SOUTH LINE OF

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85 ~~SAID SECTION 24 TO THE NORTHEAST CORNER OF SECTION 26;~~  
86 ~~THENCE RUN SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 26~~  
87 ~~TO THE NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST~~  
88 ~~COAST RAILROAD; THENCE RUN NORTHWESTERLY ALONG SAID~~  
89 ~~NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST~~  
90 ~~RAILROAD TO THE SOUTH LINE OF SECTION 22; THENCE RUN~~  
91 ~~WESTERLY ALONG THE SAID SOUTH LINE OF SECTION 22 TO THE~~  
92 ~~SOUTHWEST CORNER THEREOF; THENCE RUN NORTHERLY ALONG THE~~  
93 ~~WEST LINE OF SAID SECTION 22 TO THE SAID NORTHERLY RIGHT OF~~  
94 ~~WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE RUN~~  
95 ~~NORTHWESTERLY ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF~~  
96 ~~THE FLORIDA EAST COAST RAILROAD TO THE WEST LINE OF THE~~  
97 ~~EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 21; THENCE RUN~~  
98 ~~NORTHERLY ALONG THE SAID WEST LINE OF THE EAST 1/2 OF THE~~  
99 ~~NORTHWEST 1/4 TO THE SOUTH LINE OF SECTION 16; THENCE RUN~~  
100 ~~WESTERLY ALONG THE SAID SOUTH LINE OF SECTION 16 TO THE~~  
101 ~~SOUTHEAST CORNER OF SECTION 17 OF SAID TOWNSHIP 10 SOUTH,~~  
102 ~~RANGE 28 EAST; THENCE RUN WESTERLY ALONG THE SOUTH LINE OF~~  
103 ~~SAID SECTION 17 TO THE SOUTHWEST CORNER OF THE EAST 1/4 OF~~  
104 ~~SAID SECTION 17; THENCE RUN NORTHERLY ALONG THE WEST LINE~~  
105 ~~OF THE EAST 1/4 OF SAID SECTION 17 AND ALONG THE WEST LINE~~  
106 ~~OF THE EAST 1/4 OF SECTION 8 TO THE NORTH LINE OF SAID~~  
107 ~~SECTION 8; THENCE RUN EASTERLY ALONG THE NORTH LINE OF SAID~~  
108 ~~SECTION 8 AND ALONG THE NORTH LINE OF SECTION 9 TO THE~~  
109 ~~SOUTHWEST CORNER OF SECTION 3; THENCE RUN NORTHERLY ALONG~~  
110 ~~THE WEST LINE OF SAID SECTION 3 TO THE NORTHWEST CORNER OF~~  
111 ~~U.S. GOVERNMENT LOT 3 OF SAID SECTION 3; THENCE RUN~~  
112 ~~EASTERLY ALONG THE NORTH LINES OF U.S. GOVERNMENT LOTS 3~~  
113 ~~AND 4 OF SAID SECTION 3 TO THE NORTHEAST CORNER OF SAID LOT~~  
114 ~~4; THENCE RUN S 0°12'38" E FOR A DISTANCE OF 12.54 FEET;~~  
15 ~~THENCE RUN S 88°27'38" E FOR A DISTANCE OF 363.00 FEET;~~

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116 THENCE RUN N 5°12'38" W FOR A DISTANCE OF 458 FEET, MORE OR  
117 LESS, TO THE SOUTHERLY LINE OF THE GEO. I.F. CLARKE GRANT,  
118 SECTION 37; THENCE RUN EASTERLY ALONG SAID SOUTHERLY LINE  
119 OF THE GEO. I.F. CLARKE GRANT FOR A DISTANCE OF 824.99 FEET  
120 TO THE RUN OF SIXTEENMILE DEEP CREEK; THENCE RUN N  
121 18°58'00" E FOR A DISTANCE OF 188.11 FEET TO THE POINT OF  
122 CURVATURE OF A CIRCULAR CURVE LEADING TO THE LEFT, HAVING  
123 FOR ITS ELEMENTS A CENTRAL ANGLE OF 16°46'00" AND A RADIUS  
124 OF 300.00 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID  
125 CURVE FOR A DISTANCE OF 87.79 FEET TO THE POINT OF  
126 TANGENCY; THENCE RUN N 2°12'00" E FOR A DISTANCE OF 302.93  
127 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO  
128 THE LEFT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF  
129 82°00'00" AND A RADIUS OF 200.00 FEET; THENCE RUN NORTHERLY  
130 ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 286.23 FEET  
131 TO THE POINT OF TANGENCY; THENCE RUN N 79°48'00" W FOR A  
132 DISTANCE OF 245.34 FEET TO A POINT: THENCE RUN S 50°11'17"  
133 W FOR A DISTANCE OF 343.96 FEET TO A POINT; THENCE RUN N  
134 45°05'48" W FOR A DISTANCE OF 82.01 FEET TO A POINT; THENCE  
135 RUN S 44°19'22" W FOR A DISTANCE OF 40.37 FEET TO A POINT;  
136 THENCE RUN N 41°15'00" W FOR A DISTANCE OF 733.53 FEET TO A  
137 POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO THE LEFT,  
138 HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 27°16'00" AND A  
139 RADIUS OF 100.00 FEET; THENCE RUN NORTHERLY ALONG THE ARC  
140 OF SAID CURVE FOR A DISTANCE OF 47.59 FEET TO THE POINT OF  
141 TANGENCY; THENCE RUN N 68°31'00" W FOR A DISTANCE OF 377.79  
142 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO  
143 THE RIGHT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF  
144 59°20'00" AND A RADIUS OF 100.00 FEET; THENCE RUN NORTHERLY  
145 ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 103.56 FEET  
146 TO THE POINT OF TANGENCY; THENCE RUN N 9°11'00" W FOR A

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147 DISTANCE OF 569.04 FEET TO A POINT; THENCE RUN N 3°34'00" W  
148 FOR A DISTANCE OF 2177.00 FEET TO A POINT OF CURVATURE OF A  
149 CIRCULAR CURVE LEADING TO THE RIGHT, HAVING FOR ITS  
150 ELEMENTS A CENTRAL ANGLE OF 97°13'00" AND A RADIUS OF 48.48  
151 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE FOR  
152 A DISTANCE OF 82.86 FEET TO THE POINT OF TANGENCY; THENCE  
153 RUN S 86°21'00" E FOR A DISTANCE OF 55.00 FEET TO A POINT;  
154 THENCE RUN N 7°54'00" E FOR A DISTANCE OF 1123.57 FEET TO A  
155 POINT ON THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 13;  
156 THENCE RUN ALONG THE SOUTH RIGHT OF WAY LINE OF SAID COUNTY  
157 ROAD 13 FOR A DISTANCE OF 578.44 FEET TO A POINT; THENCE  
158 RUN S 41°27'41" E FOR A DISTANCE OF 133.83 FEET TO A POINT  
159 OF CURVATURE OF A CIRCULAR CURVE LEADING TO THE RIGHT,  
160 HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 33°52'41" AND A  
161 RADIUS OF 100.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC  
162 OF SAID CURVE FOR A DISTANCE OF 39.13 FEET TO THE POINT OF  
163 TANGENCY; THENCE RUN S 7°35'00" E FOR A DISTANCE OF 2058.07  
164 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE LEADING TO  
165 THE RIGHT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF  
166 26°48'00" AND A RADIUS OF 420.00 FEET; THENCE RUN SOUTHERLY  
167 ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 196.45 FEET  
168 TO THE POINT OF TANGENCY; THENCE RUN S 19°13'00" W FOR A  
169 DISTANCE OF 502.38 FEET TO A POINT OF CURVATURE OF A  
170 CIRCULAR CURVE LEADING TO THE LEFT, HAVING FOR ITS ELEMENTS  
171 A CENTRAL ANGLE OF 64°29'00" AND A RADIUS OF 80.00 FEET;  
172 THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE FOR A  
173 DISTANCE OF 80.04 FEET TO THE POINT OF TANGENCY; THENCE RUN  
174 S 45°16'00" E FOR A DISTANCE OF 577.38 FEET TO A POINT OF  
175 CURVATURE OF A CIRCULAR CURVE LEADING TO THE RIGHT, HAVING  
176 FOR ITS ELEMENTS A CENTRAL ANGLE OF 12°37'59" AND A RADIUS  
177 OF 720.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID

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CURVE FOR A DISTANCE OF 158.75 FEET TO THE POINT OF  
TANGENCY; THENCE RUN S 32°38'01" E FOR A DISTANCE OF 850.29  
FEET TO A POINT ON THE NORTHERLY LINE OF SAID TOWNSHIP 10  
SOUTH, RANGE 28 EAST; THENCE RUN ~~NORTHERLY DOWN THE RUN OF~~  
~~SAID DEEP CREEK TO THE NORTH LINE OF TOWNSHIP 10 SOUTH,~~  
~~RANGE 28 EAST;~~ THENCE RUN EASTERLY ALONG THE SAID NORTH  
LINE OF TOWNSHIP 10 SOUTH, RANGE 28 EAST TO THE POINT OF  
BEGINNING.

ALSO THE CANAL 5A, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 60 FEET IN WIDTH BEING A PORTION OF THE  
GEO. I.F. CLARKE GRANT, LYING AND BEING IN SECTION 38,  
TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,  
SAID STRIP LYING 30.00 FEET ON EACH SIDE OF AND CONTIGUOUS  
WITH THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 38; THENCE  
RUN S 81°12'24" ~~87°12'24"~~ E, ALONG THE SOUTH LINE OF SAID  
SECTION 38, FOR 30.01 FEET TO THE POINT OF BEGINNING OF THE  
FOLLOWING DESCRIBED CENTERLINE; THENCE RUN N 04°18'32" E,  
ALONG A LINE PARALLEL WITH AND 30.00 FEET EASTERLY OF THE  
WEST LINE OF SAID SECTION 38, FOR 2261.05 FEET; THENCE RUN  
N 54°03'48" E FOR 1118.15 FEET; THENCE RUN N 00°38'15" E  
FOR 395.40 FEET; THENCE RUN N 69°33'35" E FOR 236.03 FEET  
TO A POINT OF TERMINATION BEING ON THE WESTERLY LINE OF THE  
SIXTEEN MILE CREEK CANAL FOREBAY, AS DESCRIBED IN OFFICIAL  
RECORDS BOOK 224 AT PAGES 31 AND 32 OF THE PUBLIC RECORDS  
OF ST. JOHNS COUNTY, FLORIDA.

CONTAINING 5.624 ~~5.524~~ ACRES, MORE OR LESS.

AND ALSO A 50 FOOT ROAD RIGHT OF WAY, DESCRIBED AS FOLLOWS:  
BEING PORTIONS OF SECTION 37, TOWNSHIP 10 SOUTH, RANGE 28  
EAST, AND SECTION 38, TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST.

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JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS  
FOLLOWS:  
COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 37; THENCE  
S 85°45'20" E ALONG THE SOUTHERLY LINE OF SAID SECTION 37  
FOR 569.19 FEET TO THE SW CORNER OF PARCEL ONE, ACCORDING  
TO DEED BOOK 136, PAGE 63 OF THE PUBLIC RECORDS OF ST.  
JOHNS COUNTY, FLORIDA; THENCE S 84°01'14" E ALONG THE  
SOUTHERLY LINE OF SAID PARCEL ONE AND THE EASTERLY  
PROLONGATION THEREOF FOR 1615.34 ~~1675.34~~ FEET TO THE  
NORTHEAST CORNER OF PARCEL 4, ACCORDING TO DEED BOOK 136,  
PAGE 64 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA;  
THENCE S 85°12'38" E ALONG THE SOUTHERLY LINE OF SAID  
SECTION 37 FOR 300.00 FEET TO THE POINT OF BEGINNING OF THE  
HEREINAFTER DESCRIBED 50.00 FOOT ROAD RIGHT OF WAY; THE  
FOLLOWING EIGHT (8) COURSES BEING ALONG THE CENTERLINE OF  
THE 50.00 FOOT ROAD RIGHT OF WAY; (1) THENCE N 02°30'00" E  
FOR 180.00 FEET TO A POINT OF CURVATURE; (2) THENCE  
NORTHWESTERLY ALONG A 100.00 FOOT RADIUS CURVE LEADING TO  
THE LEFT THROUGH A CENTRAL ANGLE OF 87°30'00" FOR AN ARC OF  
152.72 FEET TO A POINT OF TANGENCY; (3) THENCE N 85°00'00"  
W FOR 700.00 FEET; (4) THENCE N 89°45'00" W, FOR 290.00  
FEET TO A POINT OF CURVATURE; (5) THENCE NORTHERLY ALONG A  
100.00 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A  
CENTRAL ANGLE OF 79°15'00" FOR AN ARC OF 138.32 FEET TO A  
POINT OF TANGENCY; (6) THENCE N 10°30'00" W FOR 515.00 FEET  
TO A POINT OF CURVATURE; (7) THENCE NORTHWESTERLY ALONG A  
100.00 FOOT RADIUS CURVE LEADING TO THE LEFT THROUGH A  
CENTRAL ANGLE OF 37°00'00" FOR AN ARC OF 64.58 FEET TO A  
POINT OF TANGENCY; (8) THENCE N 47°30'00" W FOR 120 FEET  
MORE OR LESS TO A POINT ON THE CENTERLINE OF AN EXISTING  
COUNTY ROAD, SAID POINT BEING ALSO THE POINT OF TERMINATION

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239 OF SAID 50 FOOT ROAD RIGHT OF WAY. THE SIDE LINES OF THE  
240 ABOVE DESCRIBED 50.00 FOOT WIDE ROAD RIGHT OF WAY ARE TO BE  
241 LENGTHENED OR SHORTENED AS MAY BE NECESSARY TO MAINTAIN A  
242 50.00 FOOT RIGHT OF WAY ALONG THE DESCRIBED CENTERLINE.  
243 ALL LYING AND BEING IN ST. JOHNS COUNTY, FLORIDA, AND  
244 CONTAINING 2.5 ACRES.

245 Section 2. This act shall take effect upon becoming a law.  
246  
247

248 ===== T I T L E A M E N D M E N T =====

249 Remove the entire title and insert:

250 An act relating to Flagler Estates Road and Water Control  
251 District, St. Johns County; amending chapter 98-529, Laws  
252 of Florida; providing additional powers of the district to  
253 construct, operate, maintain, repair, and replace works and  
254 improvements necessary to execute the district's water  
255 control plan; specifying applicability of certain general  
256 law; revising district boundaries; providing an effective  
257 date.  
258